



Mesur Dysgu a Sgiliau (Cymru) 2009

2009 mccc 1

Mesur gan Gynulliad Cenedlaethol Cymru i wneud darpariaeth ynglŷn â hawlogaeth plant sydd yn nwy flynedd olaf addysg orfodol a phersonau ifanc nad ydynt wedi cyrraedd pedwar ar bymtheg oed i gael addysg; i wneud darpariaeth ynghylch y gwasanaethau perthynol i addysg a ddarperir gan ysgolion a gynhelir a sefydliadau yn y sector addysg bellach; i wneud darpariaeth ar gyfer datgelu gwybodaeth am y cwricwlwm; ac at ddibenion cysylltiedig.

Mae'r Mesur hwn, a basiwyd gan Gynulliad Cenedlaethol Cymru ar 17 Mawrth 2009 ac a gymeradwywyd gan Ei Mawrhydi yn Ei Chyngor ar 13 Mai 2009, yn deddfu'r darpariaethau a ganlyn:—

RHAN 1

CWRICWLWM LLEOL AR GYFER DISGYBLION YNG NGHYFNOD ALLWEDDOL 4

Cyffredinol

1 Dehongli

(1) Mae adran 97 o Ddeddf Addysg 2002 (p. 32) (dehongli Rhan 7) wedi'i diwygio yn unol â'r adran hon.

(2) Ar ôl y diffiniad o “attainment targets”, mewnosoder—

““course of study” means a course of education or training which leads to a qualification or set of qualifications approved under section 99 of the Learning and Skills Act 2000 for the purposes of section 96 of that Act;”.

(3) Ar ôl y diffiniad o “key stage”, mewnosoder—

““local curriculum” and “local curricula” are to be construed in accordance with section 116A and, in relation to a pupil’s school, “local curriculum” means—

Status: This is the original version (as it was originally enacted).

- (a) where the local education authority by which the school is maintained has formed a single local curriculum under section 116A, that local curriculum; or
- (b) where the local education authority by which the school is maintained has formed more than one local curriculum under section 116A, the local curriculum in respect of which the school is designated under section 116C(2);”.

(4) Ar ôl y diffiniad o “maintained nursery school”, mewnosoder—

““maintained secondary school”, in sections 116A to 116K, means a maintained school which is a secondary school unless it is a community or foundation special school which is maintained by a local education authority in Wales;”.

(5) Ar ôl y diffiniad o “pupil”, mewnosoder—

““regulations” means regulations made by the Welsh Ministers;

“school”, in sections 116E to 116H, in relation to a pupil means the maintained secondary school of which he or she was a registered pupil when he or she made an election under section 116D(1);”.

2 Dyletswydd i weithredu gofynion cyffredinol

- (1) Mae adran 100 o Ddeddf Addysg 2002 (p. 32) (dyletswydd i weithredu gofynion cyffredinol) wedi'i diwygio'n unol â'r adran hon.
- (2) Hepgorer “and” ar ddiwedd is-adran (4)(a) a mewnosoder “, and” ar ddiwedd is-adran (4)(b).
- (3) Ar ôl is-adran (4)(b), mewnosoder—
 - “(c) functions conferred by this Part in relation to the local curriculum or curricula for a local education authority’s area.”

3 Y cwricwlwm sylfaenol ar gyfer pob ysgol a gynhelir yng Nghymru

- (1) Mae adran 101 o Ddeddf Addysg 2002 (p. 32) (y cwricwlwm sylfaenol ar gyfer pob ysgol a gynhelir yng Nghymru) wedi'i diwygio'n unol â'r adran hon.
- (2) Hepgorer “and” ar ddiwedd is-adran(1)(c).
- (3) Ar ôl is-adran (1)(c), mewnosoder—
 - “(ca) in the case of a secondary school, provision for education which satisfies the entitlements of registered pupils at the school under section 116E, and”.

Llunio cwricwla lleol

4 Llunio cwricwla lleol ar gyfer disgyblion yng Nghyfnod Allweddol 4

Ar ôl adran 116 o Ddeddf Addysg 2002 (p. 32) mewnosoder—

“The local curricula

116A Formation of local curricula for pupils in Key Stage 4

- (1) Each local education authority in Wales must form for its area one or more local curricula for pupils in the fourth key stage.
- (2) A local curriculum must consist of suitable courses of study each of which—
 - (a) falls within a category in subsection (3) (the “learning domains”); and
 - (b) is from time to time selected by a local education authority to form part of that local curriculum.
- (3) The learning domains are—
 - (a) mathematics, science and technology;
 - (b) business, administration and law;
 - (c) services for people;
 - (d) arts, media, culture and languages;
 - (e) humanities, social sciences and preparation for life and work.
- (4) Subject to any regulations made under subsection (5), a local education authority may form a local curriculum as it sees fit.
- (5) Regulations may make provision as to the formation of a local curriculum, including in particular provision—
 - (a) requiring a minimum number of courses of study to be included within—
 - (i) a local curriculum; or
 - (ii) a particular learning domain of a local curriculum;
 - (b) specifying—
 - (i) a minimum proportion of vocational courses of study (as compared with other courses of study) that must be included within a local curriculum; or
 - (ii) a minimum number of vocational courses of study that must be included within a local curriculum;
 - (c) preventing during a specified period any alteration to the contents of a local curriculum.
- (6) For the purposes of this section—
 - (a) a course of study is suitable if it is designated as suitable for inclusion in local curricula by direction given by the Welsh Ministers;
 - (b) a vocational course of study is a course of study designated as such by direction given by the Welsh Ministers;
 - (c) a course of study falls within a particular learning domain if a direction of the Welsh Ministers so provides.
- (7) Regulations under subsection (5) may make different provision in relation to local curricula formed by different local education authorities.”

5 Cwricwla lleol: yr Iaith Gymraeg

Ar ôl adran 116A o Ddeddf Addysg 2002 (p. 32) mewnosoder—

“116B Local curricula: Welsh language

- (1) Each local education authority must exercise their functions in relation to local curricula so as to promote access to and availability of courses of study which are taught through the medium of the Welsh language.
- (2) In the discharge of its duty under subsection (1), a local education authority must have regard to any guidance given by the Welsh Ministers.
- (3) Guidance under subsection (2) may be given to a particular authority, or to authorities of a particular class or to authorities generally.
- (4) Within two months of the end of each academic year, a local education authority must, in accordance with any instructions given by the Welsh Ministers, provide the Welsh Ministers with a report which—
 - (a) describes the courses of study included within local curricula established by the authority for that academic year which were to be taught through the medium of Welsh;
 - (b) describes how many pupils elected to follow such courses under section 116D and how many pupils were entitled to follow such courses under section 116E;
 - (c) explains what the authority plans to do in academic years following that to which the report relates so that registered pupils of schools maintained by the authority are given the opportunity to follow local curricula courses of study which are taught through the medium of Welsh.
- (5) For the purposes of subsection (4), “academic year” means the period of 12 months beginning on 1 September.”

6 Awdurdodau â mwy nag un cwricwlwm lleol

Ar ôl adran 116B o Ddeddf Addysg 2002 (p. 32) mewnosoder—

“116C Authorities with more than one local curriculum

- (1) This section applies where a local education authority forms more than one local curriculum under section 116A.
- (2) In relation to each local curriculum, the local education authority must designate the maintained secondary schools whose registered pupils are to be entitled to elect under section 116D to follow courses of study included within the curriculum.”

Hawlogaethau

7 Dewisiadau disgyblion o gyrsiau cwricwlwm lleol

Ar ôl adran 116C o Ddeddf Addysg 2002 (p. 32) mewnosoder—

Status: This is the original version (as it was originally enacted).

“116D Pupils' choices of local curriculum courses

- (1) A registered pupil of a maintained secondary school has the right to elect to follow, during the fourth key stage, a course or courses of study included within the local curriculum for the pupil's school. But this is subject to regulations made under subsection (2).
- (2) Regulations may make provision as to the making of elections under this section, including in particular provision—
 - (a) specifying the maximum number of courses of study of a particular type that a pupil has the right to elect to follow;
 - (b) identifying points to be allotted to courses of study and preventing a pupil from having the right to elect to follow a combination of courses of study if their aggregate points exceed a specified amount;
 - (c) as to the period during which elections are to be made.”

8 Hawlogaethau disgyblion o ran y cwricwlwm lleol

Ar ôl adran 116D o Ddeddf Addysg 2002 (p. 32) mewnosoder—

“116E Pupils' local curriculum entitlements

- (1) During the fourth key stage, a pupil who has made an election under section 116D(1) is entitled to follow the elected course of study unless—
 - (a) the pupil ceases to be a registered pupil of the school at which he or she was registered when he or she elected under section 116D(1) to follow the course of study; or
 - (b) before the beginning of the fourth key stage, the head teacher of the pupil's school has decided under section 116F that the pupil is not entitled to follow the course of study.
- (2) Where a pupil is entitled to follow a course of study, it is for the head teacher of the pupil's school to decide upon which date during the fourth key stage the course is to begin.”

9 Penderfyniad pennaeth ysgol ynghylch hawlogaeth

Ar ôl adran 116E o Ddeddf Addysg 2002 (p. 32) mewnosoder—

“116F Head teacher's decision as to entitlement

- (1) If the head teacher of a pupil's school is satisfied that any of the grounds in subsection (2) apply, the head teacher may decide that the pupil is not entitled to follow a course of study which the pupil has elected to follow under section 116D(1).
- (2) The grounds referred to in subsection (1) are that—
 - (a) as a result of the pupil's level of educational attainment, the course of study is not suitable for him or her;