

Draft Recommendations for the National Policy on Medium of Instruction in Schools



**NATIONAL EDUCATION COMMISSION
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**Draft Recommendations for
the National Policy
on Medium of Instruction in Schools**

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Preface

The National Education Commission (NEC) has commenced formulation of recommendations on Medium of Instruction (MOI) in schools as directed by the Secretary of Education through his letter dated 9th February 2023 to the NEC, as per the order made by the Supreme Court to the Secretary of Education and National Education Commission (Ref Appeal No.52/2020).

Accordingly, the NEC has appointed an expert committee to review the existing policy and practices on MOI including Bilingual Education (BE). After analysis of key considerations on MOI in Schools, the team studied the historical perspectives on the MOI before and after independence, and the Constitutional provisions relating to the MOI in schools. The importance of the mother tongue as the MOI and the teaching of the Second National Language (Tamil for the Sinhala students and Sinhala for the Tamil students) in schools has been studied by the expert team. The recommendations were based on the status of teaching English as a Second Language and the current status in relation to the implementation of BE in schools, which includes an analysis of the circulars issued from time to time by the Ministry of Education.

The team formulated draft policies on the MOI, validated and the final report is presented in two sections. Section one is on the recommendations for the National Policy on MOI and section two is on analysis of Key Considerations in the Recommendations on the National Policy on Medium of Instruction in Schools.

In this report, it is recommended that a bilingual system of education be introduced at the secondary level, with selected subjects taught in English and others in the mother tongue/first language, viz. Sinhala and Tamil. Furthermore, it is recommended that the MOI in primary school (Grades 1-5) should be the student's mother tongue, and teaching the mother tongue should be made compulsory from Grade 1 in International Schools, where the MOI is English. There are short term recommendations for Grades 1-5 primary education and for Grades 6-11 secondary education and also, medium term recommendations for Grades 6-11 proposing bilingual medium of instruction in the report. Longer-term policy recommendations for Grades 6-11 secondary education for bilingual medium of instruction are too specified in the report.

National Education Policy Framework (NEPF)2023-2033 is the guiding document for any future transformation in education and the NEC has performed based on the policy statement 6.2 of the framework. It clearly says that the 'Medium of Instruction in General Education shall be reviewed and modified to enable education completely or partially in the English medium in any school as a priority'. NEC believes that this report will fulfil the requirement of the new education transformation recommended by the NEPF on MOI. As the Chairman of the NEC, I am pleased to present the final draft of the report on Medium of Instruction in Schools in Sri Lanka.

Padmini Ranaweera
Chairman
National Education Commission
May 2024

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Abbreviations

ABOE	Activity Based Oral English
BE	Bilingual Education
CEFR	Common European Framework of Reference
CLIL	Content and Language Integrated Learning Approach
DELT	Departments of English Language Teaching
EMI	English Medium Instruction
EMI	English Medium Instruction and
ESL	English as Second Language
G.C.E. A/L	General Certificate of Education Advanced Level
GCE O/L	General Certificate of Education Ordinary Level
LLRC	Lessons Learnt and Reconciliation Committee
MoE	Ministry of Education
MOI	Medium of Instruction
MTI	Mother Tongue Instruction
NCOE	National Colleges of Education
NEC	National Education Commission
NIE	National Institute of Education
PGIE	Postgraduate Institute of English
RESCs	Regional English Support Centres
TESL	Teaching English as a second language

Section One

Recommendations for the National Policy on Medium of Instruction in Schools

Preamble

The Context

1.0 Following a directive issued on the 13th of January 2023 by the Supreme Court (SC) on the Court Case, SC Appeal No: 52/2020; SC Special LA No: 263/19; CA Writ Application No: 157/2016, the National Education Commission (NEC) commissioned an Expert Team to Formulate ‘Recommendations for the National Policy on Medium of Instruction in Schools’ (**See Annex 2 - Terms of Reference**). The SC summarized the appeal and stated this has been preferred against the judgment of the Court of Appeal which quashed the direction given by the Ministry of Education (MoE) to Horana Asoka College [the School] to refrain from conducting classes only in the English Medium and to adopt the directives related to bilingual instruction as stated in the circulars issued by the MoE. The court case provided the historical perspectives on the medium of instruction from the Town Schools Ordinance No. 5 of 1906 onwards to the circulars issued by the MoE advocating and implementing Bilingual Education rules and regulations as well as MoE directives in the years 2003(18), 2007(5), 2008(12)1, 2008(43), 2010(27), respectively.

The Supreme Court Directive

1.1 The material circulated by the Supreme Court states that “The Court of Appeal has noted that the National Education Policy of the Government is to be understood on assumptions in bits and pieces of circulars and directions issued by the Ministry of Education. The Court of Appeal stated that “Indeed, the material placed before us needs to be pieced together like a jigsaw, in order to determine the precise policy position of the Government with regard to bilingual education in Government, Assisted and Unaided Schools. Even then, there are several gaping holes, including the disparity in the manner in which English as a medium of instruction is being implemented. This is amply demonstrated by the fact that a Sri Lankan student who is admitted to an international school can study all the subjects of the curriculum prescribed by the government for Sri Lankan public schools in the English medium, whereas a Sri Lankan student studying in a Government, Assisted or Unaided School can take only five out of a total of nine subjects in the English medium, although both categories of students may sit for the same examination conducted by the Department of Examinations.” The court order stated that “*the National Education Commission must fulfil its statutory responsibility and submit its recommendations on the policy that should be adopted by the Government with regard to the medium of instruction that should be followed from Grades 1 to 11 in all Government, Assisted and Unaided Schools.*”

1.2 The Specific Objectives of the Terms of Reference given to the Team of Experts stated indicated the following:

- i. Review the existing legal enactments, policies and regulations, and practices relating to the topic;
- ii. Review the published and unpublished reports on the topic;
- iii. Conduct field visits, stakeholder discussions/workshops, case studies, as relevant;
- iv. Draft a document on the ‘Recommendations for National Policy on Medium of Instruction in Schools’ through a participatory approach and process, and validate it at a national workshop; and
- v. Submit the final draft of the edited and formatted document titled ‘Recommendations for the National Policy on Medium of Instruction in Schools’.

Methodology

1.3 The Expert Team reviewed the SC document that referred to the Medium of Instruction in Grade 1 to 11 school education. The team agreed, in discussions, the key areas to explore further to understand the issues and concerns regarding the medium of instruction which will have a long-term impact on Sri Lankan society. Accordingly, the team (a) studied the historical perspectives on the medium of instruction before and after independence, and the Constitutional provisions relating to the medium of instruction; (b) the importance of the mother tongue as the medium of instruction and the teaching of the Second National Language (Tamil for the Sinhala students and Sinhala for the Tamil students) in schools; (c) examined the teaching of English as a Second Language and English as a medium of instruction; and (d) examined the current status in relation to the implementation of Bilingual Education (BE) in schools, which includes an analysis of the circulars issued from time to time by the MoE. The team formulated draft policies on the medium of instruction and validated them through focus group discussions with a purposive sample of stakeholders. The final report is presented for further refinement at a national workshop of stakeholders as directed in the Terms of Reference.

1.4 **The Committee of Experts noted that different school categories/types had different practices of the Medium of Instruction.** Therefore, the team reviewed how the Medium of Instruction (MOI) was implemented under different Acts and Ordinances since 1906. The MOI in different types of schools have had issues of concern for some time particularly after 1951. Even today, the issue of the MOI relates to the different types of schools that operate under different provisions. In addition to the government schools, assisted schools, and registered private schools that adhere to the national policy directives under the MoE, there are International Schools primarily serving Sri Lankan students who are citizens of Sri Lanka. However, these schools do not comply with the national policy of general education as they are not registered under the MoE. These schools are registered under other provisions such as the Board of Investment or the Companies Act. The directives on the medium of instruction from the MoE are disregarded by these types of schools.

1.5 **The state's control of education has increased since 1937, and the issue of the medium of instruction has been a subject addressed as an integral issue.** The Expert Team reviewed these Ordinances and Acts, along with historical perspectives, with the objective of recommending a more cohesive and realistic policy on the medium of instruction. During the Donoughmore period, from 1937 to 1943, the government's endeavour to build a welfare state led it to assume greater responsibility for education. The introduction of the free education policy by the Special Committee of Education Report of 1943 headed by Dr. C.W.W. Kannangara marked a significant development. The first amendment to this Ordinance, the Education (Amendment) Act, No. 26 of 1947, granted the state the power to make regulations regarding the language used as the medium of instruction. Furthermore, Ordinance No. 26 of 1947 abolished fees in government and assisted schools, ushering in the Free Education scheme recommended by the Special Committee on Education in 1943. Assisted schools that did not join the Free Education Scheme became private schools unaided by the Government. It is important to note that this Ordinance recognized three types of schools: those remaining in state control as '*government schools*'; those outside the Free Education Scheme as '*fee levying private schools*', and others as '*non-fee levying private schools*' under denominational management. Government control of general education was further strengthened by the Education (Amendment) Act No. 5 of 1951, where Section 43A (1) reinforced government control over the medium of instruction in unaided schools. In 1960, the Assisted Schools and Training Colleges (Special Provisions) Act No. 5 allowed the government to take over the management of private schools. Furthermore, Regulation 25 states that *the establishment of new schools on or after the date of the commencement of this Act must receive prior approval from the*

Director and may only be for the education of persons between the ages of five and fourteen years (both inclusive), or persons below the age of eighteen years. It is noted that in the years 2003¹, 2016² and 2022³, the NEC has prepared draft policy recommendations on the Medium of Instruction, and National and International Languages in General Education in Sri Lanka. The NEC has recommended that a Bilingual system of education be introduced at the secondary level, with selected subjects taught in English and others in the mother tongue/first language, viz. Sinhala and Tamil. Furthermore, NEC recommended that the MOI in the primary school (Grades 1-5) should be the student's mother tongue, and teaching the mother tongue should be made compulsory from Grade I in International Schools, where the MOI is English.

1.6 **The Committee of Experts Team also considered the key concerns raised in recent times,** particularly in light of the 30-year ethnic conflict, the issue of globalization, rising unemployment numbers, and the lack of English language skills in the youth who leave school and higher education seeking employment. These cannot be ignored and were addressed in developing policy recommendations on the MOI.

1.7 **The Team examined the Trilingual Education Policy that has been in practice for nearly two decades in the school system in view of national integration.** The Socio Linguistic Survey of Sri Lanka (August 2010⁴) indicated that “in Sri Lanka, nearly 90 percent of Sinhala people cannot communicate in Tamil; and 70 percent of Tamil people cannot communicate in Sinhala”. The report goes on to observe that despite English being the link language between the two linguistic communities, after 200 years of English in Sri Lanka and a public school system with 23,000 English teachers teaching students for five periods per week from grade 3-13, hardly 15% of the people are able to communicate comfortably in English today. National cohesion and integration are key issues in Sri Lankan society and facilitation of trilingual education is considered important. Following the Socio Linguistic Survey and the recommendations made in the Lessons Learnt and Reconciliation Committee (LLRC 2011⁵) Report in the year 2012, a Ten-Year National Plan for a Trilingual Sri Lanka 2012 -2022 was launched. Learning of the Second National Language is important as it has a long term impact on social cohesion and national integration.

1.8 **The Team of Experts reviewed the Constitutional Provision on MOI.** The fundamental law pertaining to the languages in Sri Lanka is outlined in Chapter IV of the Constitution of the Democratic Socialist Republic of Sri Lanka (1978⁶). The provisions thereof have been amended by the 13th and 16th Amendments to the Constitution in 1987 and 1988 respectively. Moreover, Article 12 (2) of Chapter III of the Constitution recognizes the right to language as a fundamental right. Chapter IV section 18. 4 of the Constitution states as follows: “[1] *The Official Language of Sri Lanka shall be*

¹ National Education Commission (2022). National education policy framework (2020-2030). Nawala: National Education Commission. <https://nec.gov.lk/national-education-policy-framework-2020-2030/>

² National Education Commission (2016). *Raising the Quality of Education: Proposals for a National Policy on General Education in Sri Lanka*. Nawala: National Education Commission. <https://nec.gov.lk/proposals-for-a-national-policy-on-general-education-in-sri-lanka-2016/>

³ National Education Commission (2022). *National education policy framework (2020-2030)*. Nawala: National Education Commission. <https://nec.gov.lk/national-education-policy-framework-2020-2030/>

⁴ Ten Year National Plan for a Trilingual Sri Lanka (2012-2022), <https://trilingualsrilanka.blogspot.com/2014/06/ten-year-national-plan-for-trilingual.html>

⁵ Lessons Learnt and Reconciliation Committee (LLRC 2011)

⁶ <https://olc.gov.lk/en/media/documents/Chapter-IV-English.pdf>

Sinhala; (2) Tamil shall also be an official language and (3) English shall be the link language. And in Section 19 it is stated that the National Languages of Sri Lanka shall be Sinhala and Tamil.”

1.9 Further, Section 21 of Chapter IV directly states the following regarding the medium of instruction: “(1) a person shall be entitled to be educated through the medium of either of the National Languages.” It is also stated that “the provisions of this paragraph shall not apply to an institution of higher education where the medium of instruction is a language other than a national language.” The Team of Experts had different opinions on the interpretation of Section 21 and thereby sought the official interpretation of the Hon. Attorney General because this section is critical for any policy recommendation. The Attorney General’s response is in **Annex 3** and it has not offered any direction to the Committee of Experts.

1.10 **The Expert Team's Review of the Bilingual Education Circulars** acknowledges noteworthy developments in the expansion of the bilingual education policy since the introduction of Bilingual Education (BE) by the Ministry of Education. The relevant Circulars are from the years 2003(18), 2007(5), 2008(12)1, 2008(43), and 2010(27). The report outlines the progress achieved and the current status of the implementation of the bilingual policy. As a response to the demand for English, bilingual education is seen as a more realistic approach aligned with national constitutional clauses. However, the expert team notes gaps and inconsistencies in these circulars and provides recommendations for improvement. These recommendations have been considered when drafting a policy to move towards an approved version.

1.11 The formulation of a Policy on the Medium of Instruction is very important. However, there are two key issues to be considered.

1.12 It is important to consider the historical perspectives on this issue. After being under colonial rule for nearly 450 years, governments took affirmative actions to revive the long-suppressed Sinhala and Tamil heritage. Culture is inherently integrated with the language of the people, and in Sri Lanka, Sinhala and Tamil were the inherited languages. Particularly after the 1961 school takeover and the introduction of the mother tongue as the medium of instruction in general education, not only were the Sinhala and Tamil languages revived, but they enabled the revival and empowerment of the respective identities of the long-suppressed, non-English-speaking Sinhala and Tamil people. The first batch of Sinhala and Tamil medium undergraduates who entered the University of Ceylon in 1963, and gradually, our universities started producing Sinhala and Tamil medium graduates. However, the longer-term impact was that the level of English language competence in the country declined for both Sinhala and Tamil-speaking people. Many state university graduates are weak in English communication and have difficulty finding employment in the competitive global job market. Therefore, teaching English language skills is important while preserving the Sinhala and Tamil languages is equally important for the people of Sri Lanka whose identities are tied up with these two languages.

1.13 The other key issue to be taken into account is the constraints posed by the lack of qualified and competent teachers for the implementation of the policy of Mother Tongue based Bilingual Education⁷. There is no equity in the practice of bilingual education as only a limited number of schools offer bilingual education and it is mostly in the urban areas and privileged schools. There are many constraints facing the successful implementation of the bilingual education policy. The lack of qualified

⁷ Here the term bilingual implies the ‘mother tongue based bilingual education as it is the globally advocated term used by UNESCO.

and competent teachers to teach the prescribed subjects in the English medium and the lack of Second National Language teachers for Tamil and Sinhala language teaching remain the key issues because Mother tongue based Bilingual Education can achieve good results only if competent language teachers are made available. The frequent transfer of teachers without taking into account the needs of the school, a lack of interest in some school principals in the implementation of the bilingual policy, are a few of the other reasons. It is also important to note that there is no bilingual officer cadre appointed at the provincial level to monitor the introduction and implementation of bilingual education. Unless these issues are addressed and resolved, simply developing a policy or having a policy may not achieve the desired results. The team has emphasised both of these issues in the formulation of the draft policy recommendations for the NEC to formulate a policy seeking approval of the government.

1.14 The Court Order states the following: *“The National Education Commission must fulfil its statutory responsibility and submit its recommendations on the policy that should be adopted by the Government with regard to the medium of instruction that should be followed from Grades 1 – 11 of all Government, Assisted and Unaided Schools. The 1st Appellant is therefore directed to communicate this decision to the National Education Commission.”*

1.15 According to the above court order the NEC has to formulate a policy for Grade 1 -11 general education in all Government and Assisted and Unaided Schools.

1.16 The Committee of experts addressing the above Court Order as the prime document, also agreed that:

- (a) In view of the Constitutional Clauses, i.e., Section 20 & 21 of Chapter IV, any school catering to Sri Lankan Citizens should be covered by the policy.
- (b) The policy directive need not be the same for different types of schools, for example Government schools, Assisted Schools, Unaided Schools, International Schools offering the Sri Lankan curriculum in the English medium, and International Schools offering foreign curricular in English.
- (c) The Medium of Instruction in Grades 1-5 (Primary School), and Grades 6-11 (Secondary School) should be addressed separately.

Short Term Policy Recommendations for Grades 1-5 Primary Education

1. A) Strengthen the **Mother Tongue based Bilingual Education⁸ policy to offer Primary Education in the child’s mother tongue** and introduce English and the Second National Language at primary level through feasible methods and modalities in all Government schools and Assisted Schools;
1. B) The policy has to be extended to all schools including the private unaided schools and International schools, currently registered and/or not registered with the Ministry of Education, with an amendment that **all Sri Lankan citizens studying at primary school in English medium in the aforesaid private and international schools must be taught the mother tongue (Sinhala / Tamil) and the Second National Language (Tamil for the Sinhala students and Sinhala for the Tamil students)** as compulsory subjects allocating time in the regular class time tables and

⁸ It is important to understand that bilingual education means the education offered in the Mother Tongue (Sinhala/Tamil medium) and education offered in English medium. It does not mean English only.

introducing appropriate methods and mechanism to ensure the Sri Lankan nationals are competent in communication in the child's mother tongue and second national language. The rest of the subjects may be offered in the English medium in the private and international schools to Sri Lankan students.

1. C) Further the Ministry of Education jointly with the Provincial Ministries of Education shall establish a language competency assessment based monitoring system to assess grade level competency in mother tongue and national second language and submit end of school year reports to the Secretary of Education for joint review of the implementation of the above policy 1(A). and 1(B).

Short Term Policy Recommendation for Grades 6-11 Secondary Education - Bilingual Medium of Instruction

1.17 **Trilingual Policy:** The Committee of Experts agreed that it is important to implement the Trilingual language policy, i.e. Sinhala, Tamil and English in Sri Lanka as trilingual competency is essential for general communication and national cohesion. This policy is stated in the Constitution of Sri Lanka as well as other recent documents including the LLRC (2011)⁹. This policy coincides well with the UNESCO's advocacy of **Bilingual Education Policy**. The circulars issued by the Ministry of Education (MoE) as well as the policies developed by the National Education Commission (NEC) have clearly indicated beside the Bilingual Education modality to offer Tamil and Sinhala as National Second Languages and this policy advocacy of the government of Sri Lanka enables to achieve a trilingual Sri Lanka. Though there are policy gaps as indicated by the SC Judgement and confirmed by the NEC study (Wijesekara & Nanayakkara, 2024) the committee of experts agreed that bilingual education is a feasible approach to practice in Sri Lanka. The teaching of the Second National Language - i.e., Tamil for Sinhala-speaking students and Sinhala for Tamil-speaking students - has seriously failed due to the lack of competent teachers.

1.18 **Bilingual Education:** The year 2022 MoE statistics show that there were a little over 100,000 bilingual students in all six grades, i.e., grades 6-11, in 750 public schools whereas there are around 330,000 students in the 6237 Junior Secondary public schools. This is on average about 18,000 bilingual students in a given grade level. The year 2022 data indicated that there were only around 2,000 Teachers competent to teach the five subjects in English Medium. The distribution of teachers across the provinces and districts demonstrates a high degree of disparity. In this situation, it is very clear that all students in the public school system will not be able to study in the bilingual stream with equitable access. A transparent criterion of selection is much needed for the public schools to ensure equitable access to all citizens. All private schools may be able to offer bilingual education as the teacher recruitment to private schools is done on needs-base and school-based. Teacher recruitment to public schools is neither done on a needs-based nor competency-based testing. The recruitment rules to NCOEs are a more political district quota system. Whereas if bilingual education and trilingual system are to be offered to all by 2030, selection to the NCOEs must be done on the basis of language and

⁹ Report of the COMMISSION OF INQUIRY ON LESSONS LEARNT AND RECONCILIATION. (2011).<https://reliefweb.int/report/sri-lanka/report-commission-inquiry-lessons-learnt-and-reconciliation> on July 21, 2023.

subject competency. If this policy is recommended by NEC to the government, by the year 2030 with the current rate of recruitment of 6000 to 7000 trainees annually, 35,000 novice teachers competent in languages and subjects could be made available in the medium term of five years. This number will be sufficient to offer bilingual/trilingual education in all 6,200 schools. The trainees of both English Medium Instruction (EMI) and Mother Tongue Instruction (MTI) subject teachers must also be made aware of their role as language educators. Acknowledging that every teacher is a language teacher, it is imperative that the significance of both ‘language for’ and ‘language of’ subject learning is not overlooked. The academic depth of mother tongue as a language should be preserved. The constraint of not having adequate numbers of qualified and competent teachers to teach the ‘prescribed set of subjects in English medium’ from Grade 6 – 11, Tamil and Sinhala as Second National Language and Teaching English as a Second Language/Link Language to all children in government schools from Grade 3 -11 has created serious disparities and inequities in the implementation and practice of education policy in the government school system. Therefore, the committee of experts also recommend the NEC to make Bilingual Education policy linked to the recruitment of trainee teachers to the National Colleges of Education (NCOEs) to enable the MoE to achieve this important shift from the present unsatisfactory situation as regards bilingual education. Unless affirmative action is taken by the Ministry of Education, Bilingual Education could further enhance inequity, disparity and elitism in education.

1.19 The Ministry of Education has to have Short-term, Medium-Term and Long-term policies to introduce bilingual education. Bilingual education seems possible in the medium term only if ‘policy directed teacher recruitment to NCOEs’ is made to facilitate bilingual education. This will enable the school system to progressively increase the number of bilingual classes and number of students and teachers in a systematic way. Simultaneously it is necessary to re-organize the school system to ensure equitable access to bilingual education. It is also necessary to ensure that minimum resources requirements for bilingual education are given to all schools. Therefore, the Committee of Experts recommends that:

2 A) Bilingual education practice in all schools from Grade 6 -11 should follow the Content and Language Integrated Learning (CLIL) Approach.

2 B) The number of subjects as well as the subjects to be offered in English and the mother tongue should be as per the present circulars (2008/12, 2008/12(i)).

2 C) The Second National Language (Sinhala/Tamil) must be offered as a compulsory subject.

2 D) In the shorter term, the Ministry must have a fair policy of selection of students to bilingual education in public schools with greater equity and transparency.

- a. It is recommended that selection for the bilingual education stream at grade six should be based on a ‘School based Selection Test’ arranged by the Zonal Director of Education and the test has to cover all the general subjects of primary education including English language. However, the following conditions are to be adhered to:
 - i. A common assessment framework has to be prepared by the National Institute of Education (NIE) and given to the Zonal Directors and the selection test should be prepared by a panel of experts including bilingual teachers appointed by the respective zonal office;

- ii. All students in the zone who have passed Grade 5 and are entering grade 6 and are interested in following bilingual education should be allowed to sit for the test;
 - iii. The test will be administered at school level with adequate supervision;
 - iv. The Zonal Director of Education will be responsible for the transparency of marking of all scripts by the teachers;
 - v. Each student's marked script has to be handed back to the student for a high level of transparency in the selection;
 - vi. The Zonal Director in consultation with the principal of the school offering bilingual education is encouraged to increase the number of bilingual classes and increase the bilingual student intake wherever possible;
 - vii. If it is not possible to offer all five subjects as stated in the present circulars, a school may offer one or more subjects in the English medium to motivate students to study in the bilingual stream;
 - viii. The number of bilingual classes the education zone can offer has to be carefully assessed and schools offering the bilingual education stream should be provided an adequate number of teachers who can teach the selected subjects in the English medium;
 - ix. Teachers recruited to teach in the English medium must be deployed to bilingual schools, and the Zonal Director, the Provincial Director and the Ministry of Education will be responsible for adhering to this as a rule of deployment and in the transfer of teachers;
- b. If a student in the bilingual stream, at the completion of grade eight, opts to change the stream and transfer to the Sinhala or Tamil stream, that should be allowed;
 - c. A secondary school student transferring from one school to another school could be admitted to the bilingual stream of the school:
 - i. If the respective student was a bilingual student in the previous school;
 - ii. If a student from the Sinhala or Tamil Medium requests admission to the bilingual class, admission can be given only if a satisfactory level is demonstrated after a school based assessment.
 - d. The Ministry of Education and the Provincial Ministries of Education have to work in collaboration to take affirmative steps to ensure that
 - i. A Bilingual Education Coordinator is appointed to every education zone;
 - ii. The ISA for English is given additional responsibility to monitor and facilitate bilingual education at school level;
 - iii. All teachers who are capable of teaching a subject in English are identified and deployed to bilingual schools;
 - iv. Teachers recruited as English medium teachers must serve only in bilingual schools;
 - v. A teacher serving in bilingual classes could be transferred out only with the correct replacement and this should not be done in the middle of a school term;

- vi. At least one school in a Zone offers G.C.E. A/L in English Medium.
- e. MoE should develop and implement BE teacher development in-service training programs as an urgent requirement;
- f. MoE/NIE needs to revise the entire Pre-service Curriculum of the NCOE in order to facilitate the bilingual education principles. It is noted that the NCOE Curriculum has not been revised in over 10 years.

Medium Term Policy Recommendations for Grades 6-11 Secondary Education - Bilingual Medium of Instruction

1. **In the Medium Term, the Ministry of Education should offer bilingual education to all secondary school students. This would be possible through selecting potential trainee BLE teachers to the NCOEs. The selection must be done based on the assessment of the four language skills of the respective languages and offering competency based training and assessment to ensure all novice teachers become qualified and competent teachers. Annually NCOEs should be able to produce:**
 - a. 4000 trainees to teach designated subjects in English;
 - b. 1000 trainees to serve as competent ESL teachers;
 - c. 1000 trainees to serve as Second National Language Tamil Teachers to teach Sinhala-speaking students and Second National Language Sinhala Teachers to teach Tamil-speaking students to keep in to the proportions of Sinhala and Tamil medium schools;
 - d. 1000 trainees as primary school teachers with the required language competencies.
2. **If the NCOE intake is rationalized on the above basis it will enable the school system to progressively increase the number of bilingual classes as well as the number of students and teachers annually in a systematic way to implement the trilingual policy through Mother tongue based bilingual education.**
 - a. All private and international schools must ensure that the Mother tongue and Second National Language (Tamil for the Sinhala-speaking Students and Sinhala for the Tamil-speaking students) are taught from Grade 1 - 11 to all students **who are Sri Lankan Citizens**, allocating the number of hours of learning of Mother tongue as prescribed in the MoE Policy;
 - b. Simultaneously, the Ministry of Education needs to **implement the re-organization of the school system** which is already planned to ensure equitable access to bilingual education and to ensure minimum standards stipulated for all schools to follow.
 - c. Educational Reforms under school reorganization are proposed to establish multiethnic schools with bilingual education to develop an ethnolinguistically inclusive school system.

Longer-Term Policy Recommendations for Grades 6-11 Secondary Education - Bilingual Medium of Instruction

1.20 The following recommendations are made for the successful implementation of the bilingual education program¹⁰. In the longer term, it is important that education sector institutions be directed and attuned to prepare materials, methods, and human resources on a progressive pathway. The following recommendations are advisory suggestions for the NEC to advocate.

1.21 Bi/multilingual Education (BE) is a vital overarching approach to education in many parts of the world, with characteristics on par with the principles of 21st-century education, Sustainable Development Goals, transversal competencies, global dimensions, and transnational citizenship. The Sri Lankan General Education Sector Development Plan 2020-2025 (2020)¹¹ defines the development of BE as a Key Strategy (Strategy 2.4.2) to improve the quality of general education (p. 84) and to facilitate a broader approach to education focusing on improving transversal skills, socio-emotional skills, value education, and ethics (p. 88). Furthermore, evidence from neurolinguistics shows the contribution of bi/multilingualism to individuals' flexible brain functioning, enhancing memory, problem-solving, and overall learning. Bilinguals have been shown to outperform monolinguals in Intelligence Quotient¹². Today there are more than 1600 reliable studies to confirm this phenomenon¹³ (Lo Bianco, 2023). Hence, BE/EMI is a necessity in education. Yet, EMI/BE programs around the world have proven successful only with clear policies and strategic plans for implementation that address respective local contexts.

1.22 Decisions taken haphazardly cause confusion, disparities, and discrimination. The Committee's recommendations aim to eliminate loopholes that must not be allowed in the new policy, a necessity well-articulated in the recent Supreme Court appeal directives. Though the Supreme Court directives focus on the MOI, the issue it investigated is English Medium Instruction (EMI) – or access to education through the English medium and its inconsistencies originating from the absence of a well-thought-out legitimate policy on Bilingual Education (BE). Specifically, the issue is related to the demand for the English language that accrues the highest linguistic capital in the present world.

1.23 Hence, the Committee is of the opinion that it is the country's responsibility to address the overwhelming demand for EMI by students and their parents. This must be done, keeping in mind that English language proficiency (basic/academic/professional) is one of the main requirements to achieve the government's economic revival through tourism, supplying professionals for the foreign employment market, and Englishization of higher education. The new policy on BE must be fair to all and take into consideration the children's and their parents' aspirations, in all educational systems in

¹⁰ For a complete analysis of BE and evidence-informed policy recommendation refer to "Situational Analysis of Bilingual Education Approach (English Medium Instruction) in Sri Lankan Government and Government-Assisted Schools: Towards Informed Policy Recommendations".

¹¹ Ministry of Education. (2020). *Sri Lanka: General Education Sector Development Plan (2020 – 2025)*. Sri Lanka: Ministry of Education. <https://moe.gov.lk/wp-content/uploads/2021/11/General-Education-Sector-Development-Plan-2021-2025-1.pdf>

¹² Hakuta, K., and Diaz, R. (1984). The Relationship between Bilingualism and Cognitive Ability: A Critical Discussion and Some New Longitudinal Data. In *Children's Language*, K. E. Nelson (Ed), vol. 5., Hillsdale, NJ: Lawrence Erlbaum Associates, pp. 319 – 344

¹³ Lo Bianco, J. (2023, May 19). "Bilingual Education" [Keynote Speech] Official Inauguration of Postgraduate Diploma in Education 2022/23. Open University of Sri Lanka, Nawala, Colombo, Sri Lanka

the country. It is important that the new policy on BE/EMI by the NEC must avoid having different policies for different cohorts of Sri Lankan students. The policy needs to clearly direct the international schools to ensure that Sri Lankan students are taught the mother tongue as a compulsory subject. The new policy must not violate the fundamental rights of a citizen to learn through a language that they like, while not impairing the rich linguistic diversity in the country.

1.24 The intended MOI policy must aim to reduce the disparities resulting from ill-informed decision making. Furthermore, the policy must clearly define the responsibilities of the institutions involved, such as the MoE, the NIE, etc., with a clear framework for these stakeholder institutions to establish working relationships concerning BE. An empirical study conducted by Wijesekara and Nanayakkara, for NEC (2024) also revealed confusion and overlapping among these institutions.

1. Considering the many educational, linguistic, social, and economic gains of bi/multilingual education, and the findings of the 'Situational Analysis of Bilingual Approach to Education in Government and Government-assisted Schools in Sri Lanka' (Wijesekara & Nanayakkara, 2024), the Committee of Experts recommend the NEC to:

- i. Instruct the MoE to review the existing circulars related to BE and adopt a necessary evidence-based informed approach to bilingual education in Sri Lanka.
- ii. Clearly define the term BE and related terms to prevent ambiguities and misinterpretations.
- iii. Consider English Medium Instruction (EMI) and Mother-tongue Instruction (MTI) as the two pedagogical approaches within BE. Thus, the main focus of teaching/learning in EMI in BE is 'the content' (subject matter such as Science, Mathematics) delivered in the medium of English by subject-specialized teachers.
- iv. Adapt Content and Language Integrated Learning (CLIL) as the teaching methodology. More precisely, Hard CLIL¹⁴ as the teaching/learning methodology for EMI in BE classrooms and require the subject-specialized teachers to make special pedagogical efforts to help students scaffold language comprehension gaps that impact on content learning.
- v. Advocate MoE to develop a sound strategic plan with necessary budgetary provisions to expand BE in public schools to address the demand.
- vi. Instruct the MoE to establish at least one school with G.C.E. (A/L) BE classes in each Divisional Secretariat.
- vii. Instruct the Ministry of Education to implement an accelerated English language teaching program from Grade 1 to 5 to lay the foundation for much better general and academic-related English.
- viii. Recommend to the MoE to develop guidelines and regulations on BE teachers and other cadre positions, teacher recruitment, deployment, and transfer policies to reduce disparities in the process.
- ix. Recommend to the MoE to develop and implement a BE teacher development framework that includes both initial and pre-service as well as in-service professional development.

¹⁴ 'Soft CLIL' focuses on language and the content is used as input and 'Hard CLIL' focuses on teaching subject content. This language teaching *methodology* comes under Communicative Language Teaching *approach*

- x. Recommend to the MoE and concerned institutions to review the textbooks (BE related) and assessments and adapt them to comply with the principles of Hard CLIL.
- xi. Instruct MoE to direct the relevant institutions to prepare separate BE teacher guides and manuals for the subjects delivered through English.
- xii. Recommend to the MoE to instruct relevant authorities and institutions to adapt the four language skills based assessment procedures to accommodate the needs of the BE students to increase test fairness.
- xiii. Recommend to the MoE to establish an Advisory Board and Steering Committee (National and Provincial levels as appropriate), and develop a monitoring mechanism for regular monitoring and coordination.

DRAFT

Section Two

Analysis of Key Considerations in the Recommendations on the National Policy on Medium of Instruction in Schools

1. A Brief History of Medium of Instruction Policies in Sri Lanka

Language-in-education is probably the most crucial area of language policy in a country. Decisions on the medium of instruction are primarily focused on the educational agenda, but as the Sri Lankan situation demonstrates, they are also influenced by the contemporary linguistic, ethnic, political, and cultural complexities of the country. As Tollefson and Tsui¹⁵ remarked, medium of instruction policies are always embedded in a complicated network of political and social causes and effects, which have to be analyzed comprehensively in their historical context (2004: 2). These policies have evolved over the years and have been the subject of much debate and controversy.

Pre-Independence Era

2.1 In the nineteenth century, as a result of British colonial rule, English was designated as the official language of the country and utilized as the medium of instruction at the secondary and tertiary education levels. However, only a small fraction of the native population had access to education in the English medium. Those who did study in the English medium gained advantages such as better job opportunities and access to higher education. At the same time, the colonial government established *Swabhasha* (own language) schools with either Sinhala or Tamil as the medium of instruction where English was taught as a subject when resources were available.

2.2 The problem of the medium of instruction and the concept of mother tongue became live issues in the early twentieth century as a result of the *Swabhasha* movement. This language policy issue prompted discussions, and even English-educated Sinhala and Tamil scholars expressed criticism of the exclusive use of English as a medium of instruction in schools. It is important to note that although these social reformers demanded the restoration of people's own languages, Sinhala and Tamil, as a medium of instruction in schools, they did not attempt to underestimate the value of English.

2.3 From about the 1920s, the language education policy came on the political agenda of the Legislative Council. The change in the medium of instruction was a central concern in educational reform debates. In July 1926, a Commission led by L. Macrae (the Director of Education) was appointed by the Governor to address these matters. The Macrae Commission gave "fundamental importance" to the problem of the medium of instruction and recommended that schools offer instruction in students' mother tongue, with compulsory vernacular language instruction at the early school stages. Having examined the problem of the medium of instruction in a "multi-lingual country", the Commission also concluded that "a bilingual system has greater advantages for Ceylon than a unilingual system of education"¹⁶.

2.4 With the establishment of the State Council in 1931, the problem of the medium of instruction became a live issue in the Council debates. C.W.W. Kannangara, the then Minister of Education, became a prominent figure in the field of educational reforms. The most important government policy document on educational reforms, the *Report of the Special Committee on Education* (popularly known as the Kannangara Report) was published in November 1943. Commenting on the issue of the medium of instruction, the Committee pointed out that the mother tongue is "the natural medium of education

¹⁵ Tsui, A.B.M., & Tollefson, J.W. (2004). The centrality of medium-of-instruction policy in sociopolitical processes. In J. W. Tollefson and A. B. Tsu, (Eds.) *Medium of Instruction Policies: Which Agenda? Whose Agenda?* pp. 1-18. Mahwah, NJ: Lawrence Erlbaum Associates

¹⁶ Coperahewa, S. (2009). The language planning situation in Sri Lanka. *Current Issues in Language Planning*, 10(1), pp 69-150. <http://dx.doi.org/10.1080/14664200902894660>

and the genius of a nation finds full expression only through its own language and literature. We are therefore of the opinion that the ideal should be the mother tongue medium at all stages of education” (SP XXIV – 1943: 40). Yet at the same time, the Committee stressed the value of English as a “common second language to all the communities in the island and emphasized the study of English as a ‘compulsory second language’ (SP XXIV – 1943)”. The main policy decisions on language and education policy were taken in the late 1930s and early 1940s, the last decade of British rule in the island.

2.5 In 1944 the State Council passed a resolution to make the ‘national languages’ – Sinhala and Tamil – the official languages of the country. The Select Committee Report -- published in December 1946 as Sinhalese and Tamil as Official Languages - Sessional Paper (SP) XXII of 1946 -- was considered an important landmark in the evolution of language policy in the country. The Committee proposed a ten-year plan to change the language used in the public sector. They aimed to gradually reduce the use of English as the language of government and replace it with the local languages. Although the education provisions of the 1946 reforms aimed to elevate the status of the local languages and revitalize their teaching and study, English language education was acknowledged as important in Sri Lanka’s future; it was compulsory for all schools to include the study of English in their curriculum¹⁷. By the time of independence, other than the 54 Central Colleges, all other government schools were in *Swabhasha* medium and fee-levying schools in the English medium existed side by side.

Post-Independence Era

2.6 Language policy and planning decisions in post-independent Sri Lanka have been largely underpinned by political objectives and ideological debates. As we noted earlier, in the 1940s, proposals were made to change the medium of instruction in secondary education to national languages. However, the actual implementation of this change did not begin until 1953. Further, the 1954 Report of the Committee appointed to examine the working of National Languages as the media of instruction in Standard VI and Standard VII, with particular reference to the subjects of Science and Mathematics, recommended the gradual extension of the changeover.

2.7 Making Sinhala ‘the sole official language’ of the country in 1956 was one of the key incidents in the politics of language in post-independence Sri Lanka. Disputes over language policies created tensions between the Sinhala-speaking majority and the Tamil-speaking minority. In 1961, the *Interim Report of the National Education Commission* recommended that “the Medium of Instruction for citizens of Ceylon should be Sinhala or Tamil” (Sessional Paper I – 1962). By 1960, almost the entirety of secondary education in Sri Lanka was in Sinhala or Tamil. With the change in the medium of instruction, secondary education suddenly became accessible to those who had little or no knowledge of English.

2.8 The existing Constitutional provisions also address the matter of the Medium of Instruction. As stated in the Preamble of this document, Chapter IV (Article 21) of the 1978 Constitution of Sri Lanka outlines the state's policy on the Medium of Instruction. It states that individuals have the right to be educated in either of the National Languages. However, this provision does not apply to higher education institutions that use a language other than a National Language as their medium of instruction.

¹⁷ Coperahewa, S. (2009). The language planning situation in Sri Lanka. *Current Issues in Language Planning*, 10(1), pp 69-150. <http://dx.doi.org/10.1080/14664200902894660>

2.9 In 1997, the Presidential Task Force on General Education¹⁸ recommended that English should be used as a means of communication from Grade 1 onwards, while the formal teaching of English should commence at Grade 3.

2.10 In the 2003 National Education Commission (NEC) *Policy Proposals on General Education*, it was stated:

The medium of instruction in the primary grades should continue to be Sinhala/Tamil. Oral English should be strengthened to facilitate the development of communication skills.

- (a) Bilingualism should be promoted by using English as the medium of instruction in selected subjects such as Mathematics, Science, and Information Technology in the secondary grades, year by year from Grade 6. Sinhala/Tamil should continue to be the medium of instruction in some subjects.
- (b) Students of secondary grades should be given the option to (a) study any subject in the English medium in the GCE OL and GCE AL grades, subject to the availability of teachers, and (b) sit the GCE OL and GCE AL examinations in the medium of their choice.

2.11 After the civil war ended in 2009, Sri Lanka began to promote ethnic reconciliation, encouraging the teaching of Second National Languages. However, the process of implementing these policies has been challenging, and disparities in resources and the quality of education persist between different regions. In 2016, the NEC *Study on Medium of Instruction, National and International Languages in General Education in Sri Lanka*¹⁹ I recommended that

- (a) The Bilingual system of education should be introduced at the secondary level by teaching selected subjects in English and others in the mother tongue/first language.
- (b) Medium of Instruction (MOI) in the Primary school (Grades 1-5) should be the student's mother tongue (L1).
- (c) Mother tongue should be made compulsory from Grade I in International Schools, where the MOI is English.

2.12 After 75 years of independence, there is a renewed proposal advocating for English as the medium of education in the country. The government is currently working to strike a balance between promoting the use of national languages and recognizing the importance of English in a global context. Furthermore, there has been a noticeable decline in the proficiency of the mother tongue among school children and employees in both the public and private sectors. This decline has sparked a recent resurgence in scholarly attention towards the significance and pride associated with the mother tongue.

¹⁸ The Presidential Task Force on General Education (1997). *General Education Reforms*. <https://nec.gov.lk/reforms-in-general-education-1997/>

¹⁹ National Education Commission (2016). *Study on Medium of Instruction, National and International languages in General Education in Sri Lanka*. Nawala: National Education Commission. <https://nec.gov.lk/study-on-medium-of-instruction-national-and-international-languages-in-general-education-in-sri-lanka-research-series-2014-no-09/>

2. Medium of Instruction and the Place of Mother Tongue in School Education as a First Language and Second National Language

Introduction

3.1. Sinhala and Tamil are the official and national languages of Sri Lanka as recognized in the Constitution. Sinhala is considered as a Second National Language for Tamil speaking people and Tamil as a Second National Language for Sinhala speaking people. In the meantime, the government has taken several steps to promote Second National Language education (Tamil and Sinhala) among government officers. For this purpose, several institutions are established to achieve these targets. In the school system, Sinhala and Tamil are taught as a first language and the Second National Language. Students learn their first language from grade 1 to grade 11. At the same time, Sinhala and Tamil are learned as a Second National Language in the transliteration mode in primary school, and in the formal way from grade 6 to 9 as a core subject and 10 and 11 as an optional subject. The school education system has been taking several steps to improve language learning among the learners by developing text books, teaching methodologies and assessment systems.

Medium of Instruction

3.2. It is mentioned in the NEC Education Policy Framework for 2020-2030 report²⁰ that there is consensus among many educationists that the mother tongue must be the natural medium of education, particularly in primary and secondary education. However, authorities also recognize the importance of mastering link language, particularly in multilingual societies and for ease of communication in the globalized world.

3.3. The introduction of mother tongue education in Sri Lanka enabled to achieve a high literacy rate in the country. Both free education and the policy on mother tongue education have helped improve the quality of education as well as the quantity of education, especially in the rural sector of the country, which has contributed a lot to achieving the high literacy rates in the country. In addition to these two policies, the introduction of common curricula in 1972 enabled the rural students to get more opportunities for the equity of education in the higher education sector.

3.4. The National Education Policy Framework, Sri Lanka (2022)²⁰ prepared by NEC, states that all students should be proficient in the two national languages, English, numeracy, and digital literacy at each stage of education. In this document, does not mentioned Sinhala and Tamil as Second National Languages.

Languages in the Curriculum

3.5. Mother tongue teaching takes place from grade 1 to grade 11. The purpose of learning a first language is to understand the cultural elements of people in the target language. Language is the carrier of culture. In this sense, learners can appreciate and understand cultural elements by learning the native language. In the curriculum, sufficient time is allocated to learning the first languages, which are the tools for learning other subjects. It has to be evaluated whether the content of the first language is

²⁰ National Education Commission (2022). *National education policy framework (2020-2030)*. Nawala: National Education Commission. <https://nec.gov.lk/national-education-policy-framework-2020-2030/>

sufficient to learn the other subjects. When language learning is limited to language purposes only, the cultural impact of language is not achieved by the learners.

3.6. It has to be highlighted here that the purpose of learning a language is to perform language skills such as listening, speaking, reading, and writing. All these four skills are inherent in the language learning process. In the native language, learners acquire listening and speaking skills in a non-formal way from the environment, which can be used to further develop language skills in the formal system. Listening and speaking are the stepping stones to the further development of the target language. In the formal education system, it has failed to incorporate informal learning skills particularly listening and speaking into the learning process, which brings limitations on language learning.

3.7. Sensory Theory²¹ states that learning is gaining experiences acquired through using our senses. In the language learning process, learners gain concrete and abstract experiences through the senses. Initially, learners see things and acquire experiences in visual forms. Visual forms lead to listening. A native language learner can communicate orally without learning to read and write. When developing a curriculum, this principle should be taken into consideration.

Second National Language Curriculum

3.8. In addition, the first report of the National Education Commission, published in 1992, stated that 'one of the major goals of education is the achievement of national cohesion, national integrity, and national unity.' It promoted the adaptation of school education to promote peaceful living and coexistence in a multi-ethnic and culturally diverse country like Sri Lanka, with a citizenry speaking two main languages. For the attainment of the above goal and to afford opportunities for the use of national languages and mutual appreciation of cultures, the teaching of a second language from Grade 6 to 9 was initiated in 1999. The Second National Language was an additional subject for Grades 10 and 11 from 2001. The Second National Language was introduced in 2003 for Grades 3, 4, and 5 as well, and oral teaching of the Second National Language commenced in 2007 for Grades 1 and 2. Currently, students learn their first language (Sinhala or Tamil), Second National Language (Tamil for Sinhala-speaking students and Sinhala for Tamil-speaking students), and a link language (English). The medium of instruction in the primary and secondary stages is the mother tongue.

3.9. There are several differences in the ways of learning the first language, the second national language and foreign languages in Sri Lanka. The main purpose of learning a second national language is for communicative purposes of the major ethnic groups in Sri Lanka. Sinhala and Tamil are learnt for oral and written communicative purposes. In the learning process, the learner learns to listen, speak, read and write in a formal way at the school levels.

3.10. The purpose of introducing a Second National Language is to develop communal harmony through effective and meaningful communication, aiming to eradicate misunderstandings among different language communities. In practice, learners often only learn the second language through reading and writing, similar to learning a foreign or dead language. This is due to various factors, which will be addressed in the following section.

²¹ Laird, D. (1985). *Approaches to training and development* Addison-Wesley. Reading, MA: Addison Wesley Publishing Co. Inc.

Sinhala and Tamil as Second National Languages

3.11. It was mentioned earlier that Tamil is the first language of Tamils as well as the second national language in the country for those who offered Sinhala as a first language. Tamil language is taught in both categories. For those who learn Tamil as a first language, Sinhala is a Second National Language.

Learning Materials in the First Language and Second National Language

3.12. In the teaching and learning process, there are several materials that are used by teachers as well as students. The most important learning material is student text books, which are developed by the Education Publication Department of the MoE from grade 1 to grade 11. The text book only caters to the needs of reading and writing purposes, especially in second language learning.

3.13. There are several steps being taken to incorporate other learning materials in second national language learning, such as audio and video materials. However, these efforts have failed due to a lack of technical expertise and non inclusion of those materials in the textbook as well as in the teacher's guides.

3.14. It is mentioned in the NEC report (2016)²² that the purpose of a teacher's guide is missing due to a lack of coordination. The teacher's guide and the textbook may not align, and because of that, teachers and students use the textbook for teaching and learning purposes. It is mentioned in the report (2016) that textbooks were not attractive for students and did not cater to their interests. The language of the Sinhala book for Tamil students was considered to be particularly difficult. There are several shortcomings in the first language and second national language text books. These issues need to be rectified by an expert committee. The officers who developed text books are not experts in textbook development. There is no institution to cater to these needs.

Teacher Competencies in Implementing First and Second Languages

Facilitating language learning.

3.15. The teacher must be competent in the target language as well as language teaching methodology. According to the study by the NEC (2016)²² in the first language, it did not show favorable performance in the first language. It may be due to many factors, but teaching is also a factor. First language teachers are not trained in the way the system expected. All teachers are expected to contribute to language learning, but language teachers are more responsible for language learning. For any improvement, research is very vital, generally as well as specifically in the first language. Not much of language teaching related research is done in Sri Lanka.

3.16. It is mentioned in the National Education Policy Framework, Sri Lanka (2022) prepared by the NEC that there is an extreme shortage of second national language teachers in the education system. There are only a few trained in the second national language field at the NCOEs. Most of the teachers in the second national languages are not qualified to teach the target subject. There is no proper mode of training to train the untrained teachers in second national languages. Most students only learn reading and writing in a second national language for the purpose of sitting the paper and pencil examination.

²² National Education Commission (2016). *Raising the Quality of Education: Proposals for a National Policy on General Education in Sri Lanka*. Nawala: National Education Commission. <https://nec.gov.lk/proposals-for-a-national-policy-on-general-education-in-sri-lanka-2016/>

Assessment System

3.17. It was mentioned earlier that the purpose of learning a language is for communication, whether it is a first language or second language. In the text, the focus is only on reading and writing. Even if there are other listening and speaking activities, due to a lack of teacher competencies and devices, it is challenging to implement them in the classroom. Due to a lack of understanding, the school system does not concentrate much on the oral communicative competencies of the learner. They focus only on written examinations. It was suggested to assess oral communicative skills as a part of the evaluation process, but it was rejected, even in the teaching of English as a Second Language.

Sectional Conclusions:

- a) Current textbooks in the first language as well as in the second national language must be reviewed by an expert committee.
- b) Competencies of teachers in the first language and second language have to be assessed and teachers should be given proper training.
- c) First language and second national language teacher education curricular should be aligned with the student curriculum.
- d) The four language skills are to be focused on, especially in language assessment.
- e) Second national language teachers are to be appointed in each school with proper teacher competencies.
- f) The assessment system of the first language and second national language should be revisited to cater to the needs of the country.
- g) The National Education Policy Framework 2023 has addressed these issues.

3. The Place of English in Primary and Secondary School Education

English as Medium of Instruction and English as a Second Language

4.1 The status of English in Sri Lanka's primary and secondary school system is now two-fold. English functions as both a second language (ESL) and as a medium of instruction (MOI). Pedagogically, these two functions are vastly different, and not to be confused, especially since the current task before the NEC, as stipulated in the judgment of the Supreme Court delivered on 13th January 2023, is to make "recommendations on the policy [on MOI] that should be adopted from Grades 1 - 11 of all Government, Assisted and Unaided Schools" (p. 34).

4.2 MOI refers to the language or channel through which content is delivered to students. In the case of English Medium Instruction (EMI), the channel is English, irrespective of the content that is being delivered - be it Mathematics, Geography or Information Technology. Teaching English as a Second Language (TESL), on the other hand, is teaching the English language to speakers who are more proficient in other languages. In such situations, the MOI is usually the mother tongue, not English. In Sri Lanka, the term TESL garnered more attention with the passage of the Official Language Act No. 33 of 1956, which displaced English from its erstwhile status as the language of administration and replaced it with Sinhala as the sole official language of the newly independent nation. However, this radically decolonizing gesture did not envisage a post-independence future for Sri Lanka without English but only its demotion, thus creating the conditions for retaining English as a subject in the

curriculum of both government and private schools once it had been phased out gradually as the MOI, as recommended in the Kannangara reforms of 1945 (Chapter VIII, section 90).²³

4.3 However, the displacement of English in post-independence Ceylon via the Official Language Act should not be taken to mean that English was in use widely and was equally accessible to Sri Lankans across class and regional differences in colonial Ceylon. Colonial education policies did not make English, either as the MOI or as a language, freely and widely available at school level to all students but only to the fortunate few belonging to the native elite that could afford English medium and English language instruction in fee-levying schools. For the vast majority, only an elementary education was made available by the colonial administration in “vernacular” or Sinhala/Tamil medium schools. At Independence, only about 6%-8% of the local population was literate in English²⁴. Moreover, for a majority of Sri Lankans living outside the urban and semi-urban areas and/or who had little or no dealings with the administrative apparatus of the British colonial regime, the need to be conversant in English would have been minimal. Thus, the displacement of English as the Official Language of Administration would have constituted a loss only to those members of the native elite who possessed first-language competence in English due to education and socialization and little or no language competence in Sinhala/Tamil. The recommendation in the “Kannangara Education Reforms” of 1943 that English be “universally taught” as a “common second language so that ... by becoming a common second language it may cease to be a badge of class distinction and become a means of common understanding” (Chapter VIII, Section 91) in the post-independent polity of Sri Lanka acknowledges the divisive role of English while proposing compulsory mother-tongue instruction to students of the two major ethnic communities and broader and equitable access to English to all citizens of Sri Lanka as ways to redress it.

4.4 But looking back upon that recommendation some eighty years later, it is clear that the ideal relationship envisaged in the Kannangara Report with regards to the three languages has not come to pass due to various post-independence social, cultural and political developments. English language competencies among students have gradually declined in post-independence Sri Lanka even as ESL has become a mandatory subject in both primary and secondary education. Competency levels in English, as measured by the test results of the GCE Ordinary Level (OL) and Advanced Level (AL) examinations for English Language and General English respectively, provide ample testimony to this state of affairs (see Tables 1 & 2 in Annex 03) as a significant percentage of students do not possess the required competency levels in English.^{25,26}

Compounding the problem is attitudes to English. While English is perceived as a ladder to scale the social hierarchy and a symbol of privilege, it is also regarded paradoxically with fear and resentment by those who do not enjoy equitable access to the language. This, as several scholars starting with Thiru Kandiah have pointed out, constitutes a drag on attempts to improve English language competencies

²³ It is noteworthy that the medium of instruction of the Central Colleges, instituted as part of the Kannangara reforms to expand access to education, was English until the 1960s.

²⁴ Walisundara, D.C. & Hettiarachchi, S. (2016). English language policy and planning in Sri Lanka: A critical overview. In R. Kirkpatrick (Ed.), *English language education policy in Asia* (pp. 301-332). Switzerland: Springer International Publishing.

²⁵ While the number of failures has decreased between 2005 and 2021, it is not clear whether this is due to a measurable improvement in competencies or a relaxation in standards of grading. Candidates are weakest in activities testing their writing skills (Walisundara and Hettiarachchi, 2016, 318-319).

²⁶ Between the GCE O/L and A/L grades, students' English language competencies have further declined (see Tables in annex 03).

among a vast majority of students. It is this attitude which makes the question of the medium of instruction so fraught in nature. Therefore, while the SC directive focuses on the medium of instruction, as the matter disputed in courts, any discussion and decisions on EMI are inextricably linked with the status of ESL in the case of Sri Lanka.

4.5 Nevertheless, despite the systemic failures, interest continues to increase today on the part of the state as well as private actors on the need to improve English language competencies due to a number of developments on the global and national fronts, among them, acceleration in international communications and transactions as well as, in Sri Lanka, the growing interest in and opportunities for higher education and employment opportunities abroad. Consequently, both official and unofficial, including ad hoc, measures are being taken to improve English competencies.

Challenges to Official Measures to Improve English Language Competencies in Schools

4.6 Since the 1990s, successive governments have experimented with different approaches and methods to improve English standards among students considering the meteoric rise of English on the global stage. The Reforms in General Education of 1997²⁷ introduced English to students in a non-formal manner in the form of Activity Based Oral English (ABOE) in primary school where English is introduced in Grades 1 & 2 as part of Environment Studies and Mathematics. The formal teaching of English, with dedicated class periods, begins in Grade 3 (p. 22). English would be taught as a subject from Grade 6 – 9 with an emphasis on developing Spoken English competence (p. 22) in secondary school (p. 15). English was made a core subject at the GCE OL Examination (p. 22), and a new subject, called General English, was introduced for the GCE AL Examination from 1999 (p. 23). An attempt was also made to make listening and speech part of the assessment process for GCE OL English²⁸ although this innovative measure suffered what might be termed a ‘still birth’ as objections rose from many quarters given the wide disparities in access to the necessary resources, including satisfactory English instruction, in schools²⁹. The most recent attempt in this direction is “English for All”, introduced in 2023, under which English will be introduced to students from Grade I as envisioned in ABOE of 1997³⁰.

4.7 “International schools”, which commenced operations in numbers in the 1990s, is another innovation by non-state actors that has come to serve, somewhat haphazardly, the increasing demand for English among the general population in the country. Although both the type of curriculum offered as well as the demographics of the students in these schools have changed with time, there is one constant - the medium of instruction remains English – thus ensuring its popularity among parents and

²⁷ The Presidential Task Force on General Education (1997). *General Education Reforms*. <https://nec.gov.lk/reforms-in-general-education-1997/>

²⁸ “Oral test for GCE O/L English exam”, 31 January 2012 <https://www.dailymirror.lk/breaking-news/oral-test-for-gce-ol-english-exam/108-16443>

²⁹ Wijesundara, W. M. G. U. (2016). Integrating Listening & Speaking Skills of English Language into the National Evaluation System of Sri Lanka (G.C.E. O/L Examination). Attitudes of Students and Teachers in Ratnapura Educational Zone. [Dissertation, Open University of Sri Lanka]. https://www.researchgate.net/publication/359929341_Integrating_Listening_Speaking_Skills_Of_English_Language_Into_The_National_Evaluation_System_Of_Sri_Lanka_Gce_Ol_Examination_Attitudes_Of_Students_And_Teachers_In_Ratnapura_Educational_Zone

³⁰ At a meeting at the Ministry of Education on February 7, 2024, the Minister of Education announced that 14,000 English teachers have been hired to implement the program. The Piloting Program for Curricular Reforms in the primary section, which includes ABOE, was completed by the NIE in March, 2024 as announced at the Council meeting of the NIE held on 28th March, 2024.

students who see these schools as an alternative avenue for improving English language competencies. As these schools are registered under the Companies' Act and, therefore, outside the purview of the Ministry of Education, they are not required to abide by the MoE's directives on MOI in the absence of a national policy. However, the distribution of the "international schools" in the country by region and the urban-rural divide only underscores how very much access to English is still pegged to socio-economics. One may then argue that, particularly with "international schools", Sri Lanka has come full circle as only a certain class can avail themselves of the accelerated improvement in English skills they provide.

4.8 Another noteworthy official measure is the re-introduction of English medium instruction (EMI) in schools coming under the purview of the Ministry of Education (MoE) starting in 2001. Though this measure, which appeared to give carte blanche to EMI, was later amended and labeled Bilingual or Bi-medium instruction, the primary and stipulated aim of the proposal has been the improvement of English competencies among students through content and language integrated learning (CLIL) through adopting English as a co-medium of instruction. Section 5 analyzes in detail the many unforeseen hurdles that have been encountered in the attempts to implement this radical measure due to intentional and unintentional misreading of the circulars. Horana Asoka Vidyalaya, whose introduction of EMI from Grade I became a matter under disputation in courts, is a prime example.

4.9 Simultaneously, measures are being taken by the MoE and other private actors to improve the standard of English as a second language (ESL) in schools via recruiting, training, curriculum revision, assessment, etc. with the National Institute of Education (NIE) playing a key role in this regard. As of now, five NCOEs are dedicated to the training of English teachers³¹ with 500-600 trained English teachers passing out of these colleges annually.³² Furthermore, many Departments of English Language Teaching (DELTs) in the state university system and a handful of "for profit" private universities have begun to offer ELT degrees to address the demand for university-trained English language teachers in the country while the Postgraduate Institute of English (PGIE) of the Open University of Sri Lanka offers postgraduate training in ELT-related disciplines, which includes 40 teachers in the bilingual medium on average trained annually. Additionally, Regional English Support Centres (RESCs) around the country offer in-service training for 80-100 teachers of English.³³ Moreover, acknowledging the misdistribution of English teachers in the government schools by zone, district and province, attempts are being made to both recruit and assign teachers to under-served areas/schools and to redistribute the English teachers already in service to schools that have few or no English teachers. According to a study published by the British Council in 2022, there were around 27,000 English teachers in the state schools. There are nevertheless shortcomings, among them, the entry-level English language qualifications of the English teachers and continued misdistribution of competent and qualified teachers.

4.10 There is also the proven disparity between paper qualifications and demonstrable competencies. According to a survey conducted by NILE (2019), which was commissioned by the British Council for the Ministry of Education, English language proficiency of a majority of English language teachers in the state secondary schools, which was assessed using CEFR (Common European Framework of Reference), comes within the B1 (36%) to B2 (48%) range which, according to the report, is 'average'. Only 5% of teachers demonstrated competencies that can be classified as 'C', which constitutes the highest level of achievement. The study found urban school teachers to have proportionately higher

³¹ Gazette dated 22.07.2022, <https://job.govdoc.lk/view?id=551&fid=62e0b6c02513b>

³² <https://educationforum.lk/2021/07/policy-dialogue-17-what-should-be-our-policy-on-english-education/>

³³ Ibid.

levels of achievement compared to teachers of semi-urban schools, which were in turn higher than those of teachers in rural schools. Furthermore, the highest proportion of level C teachers were in the Central, North Central, Sabaragamuwa, Southern and Western Provinces while the Northern Province did not have any teachers who achieved level C. The finding that “the highest proportion of teachers with CEFR ‘C’ levels is in the Western Province” (p. 16) further highlights the regional disparities. The study also noted that “higher the O-level and A-level results, the higher the CEFR level achieved”³⁴. While the study does not find the overall language proficiency levels of English teachers in Sri Lankan secondary schools to be inadequate, they propose, in their final recommendations, that achievement levels of all English language teachers be elevated to “at least” CEFR C1 level (32), pointing out that “Teachers need to have a level of proficiency significantly above that of the target level of their learners to be able to provide positive models, recognise learner errors and be able to deal with them, explain issues in language and assist language development appropriately” (36).

4.11 This section has highlighted the importance of correctly understanding the distinction between the processes and objectives of ESL and EMI when making recommendations regarding the MOI in Sri Lankan schools, as directed by the Supreme Court. While competent and qualified teachers are necessary for successfully carrying out both of these initiatives, the challenge in EMI is greater, as teaching content material in English requires competence in both linguistic and subject-related knowledge on the part of the teacher. The data indicates that in many provinces, there is a significant lack of English teachers at present. Presumably, this includes teachers who can teach subject-related content in English as well – i.e., EMI. Since a school has to show that it has the required resources to offer EMI (Circular 2008/12) when introducing BE classes from Grade 6, a lack of qualified and competent teachers is a significant challenge that must be taken into account when making recommendations regarding the MOI.

4. Current Practices of Bilingual Education (BE) in Government and Government-Assisted Schools: Opportunities, Challenges and Recommendations

Introduction

5.1 This section presents the arguments and suggestions drawn from an empirical study that reviewed the current practices of the Bilingual Education approach to education in Sri Lankan government and government-assisted schools³⁵. This situational analysis collected data from BE stakeholders – mainly students, teachers, parents, teacher educators, activists, school/MoE/NIE, authorities, which were elicited through surveys, focus-group-discussions (FGDs), interviews and document analysis. The study aimed to make recommendations to the NEC enabling the Commission to take evidence-informed policy and practice decisions to enhance BE/EMI in Sri Lanka.

5.2 The Section starts by delineating the BE and EMI controversy. It then discusses considerations for a new English language (EL) teaching and MOI policy; lack of policy and discrepancies; fear of

³⁴ “Investigating English Language Teacher Proficiency in State Secondary Schools in Sri Lanka”, Submitted by: Dave Allan, President NILE, Alan S. Mackenzie, Director Transform ELT, and 30th September 2019.

³⁵ This study was done for the National Education Commission by Wijesekera (lead author) and Nanayakkara and is cited in this report as Wijesekera & Nanayakkara (2024): “Situational Analysis of Bilingual Approach (English Medium Instruction) in Sri Lankan government and assisted schools: Towards Informed Policy Recommendations.”

linguistic loss; access to EMI and equity; entry to EMI, assumed social division between EMI and MTI; ethnolinguistic cohesion that EMI brings; higher education; and cross-fertilization, followed by the section conclusion.

BE vs. EMI controversy

5.3 Wijesekera & Nanayakkara (2024)³⁶ recommend that the policy documents must use terminology cautiously to prevent ambiguities and misinterpretations. With regard to BE, as analyzed in their report, even the stakeholder institutions appear to disagree on terms, particularly the name of the BE ‘program’. The NIE (2009)³⁷ claims naming BE as "English Medium Instruction" is a “wrong start”, yet without giving justification for the claim. In contrast, the NEC has been clearer and consistent in using the terms both BE and EMI as given below.

- a) “[b]ilingualism should be promoted by using *English as a medium of instruction* in selected subjects” (p. 116. emphasis added).
- b) NEC (2022)³⁸ acknowledges that doing away with *English medium instruction* was “a setback for individuals concerned and society (p.140),
- c) NEC (2022)³⁸ also acknowledges “the vacuum created by the neglect of teaching in the *English medium*” (emphasis added). (p. 140)
- d) The report by Wijesekera & Nanayakkara (2024, p. 12)³⁶ also states that the “promotion of *English medium* in the last decades is a consequence of this change of perception” (emphasis added).

The Oxford University’s global survey (2013/14) places Sri Lankan BE under EMI programs³⁹, based on the working definition of EMI – “[T]he use of the EL to teach academic subjects in countries or jurisdictions where the first language (L1) of the majority of the population is not English”³⁹. Based on a) the arguments in literature b) the views of the participant stakeholders and c) considering the BE models analyzed by Wijesekera and Nanayakkara in NEC research report (2024, p. 37) the following is suggested:

- a) BE is the *overarching educational approach* where two (bilingual) or more languages (multilingual) are used as Media of Instruction (MOI) to deliver the curriculum which may occur at some point during school career of a student⁴⁰ (p. xii).

³⁶ Wijesekera, H. D. & Nanayakkara, P. (2024): *Situational Analysis of Bilingual Approach (English Medium Instruction) in Sri Lankan government and assisted schools: Towards Informed Policy Recommendations*. Colombo: National Education Commission.

³⁷ National Institute of Education (2009). *Bilingual education: Teacher development manual*. National Institute of Education. Maharagama: National Institute of Education.

³⁸ National Education Commission (2022). *National education policy framework (2020-2030)*. Nawala: National Education Commission. <https://nec.gov.lk/national-education-policy-framework-2020-2030/>

³⁹ Dearden, J. (2015). *English as a medium of instruction – a growing global phenomenon*. Oxford: Oxford University Press. Retrieved from www.techingenglish.org.uk

⁴⁰ Cummins, J., (1997). Introduction: Bilingual education. In J. Cummin and D. Carson, (Eds.). *Encyclopaedia of Language and Education*, 5. Kluwer Academic Publishers Netherlands.

- b) Sri Lankan BE is considered a “Strong Form” since it aims to produce “students who are proficient in two languages and *biliterate* as well”⁴¹ (p. 469): enhance English and Sinhala/Tamil for both basic interpersonal communication (bilingualism) and academic purposes (biliteracy). This in Cummins’ (1997) terms is promoting BICS and CALP⁴² in English and mother tongue.
- c) English medium instruction (EMI) and Mother-tongue instruction (MTI) are the two *pedagogical approaches* within BE.
- d) The main focus of teaching/learning during EMI in BE is ‘the content’ (subject matter such as Science, Mathematics) delivered by subject specialized teachers.
- e) The *teaching/learning methodology* is Content and Language Integrated Learning (CLIL) for EMI in BE classrooms. More precisely, this methodology where ‘content’ is the main focus, is called *Hard CLIL*.
- f) In this pedagogical context, it is intended that the students will ‘acquire’ English language rather than consciously ‘learning’ it as happens when learning English as a subject (second language: ESL).
- g) It is required that the subject-specialized teachers make special pedagogical efforts to help students scaffold language comprehension gaps that impact on content learning⁴³.

New Trends in EL Teaching and MOI Policy

5.4. In many parts of the globe, language learning trends are now moving towards learning across the curriculum involving every teacher in fostering language development throughout students’ academic career. The primary objective of EMI through BE is to create “opportunity to acquire a level of English for higher education and career advancement.”⁴⁴ (p. xviii). Learning English through content serves meaningful and situated language learning contexts and “language both construes and is construed by reality, and thus language and content are most productively considered together rather than separate entities⁴⁵ (p.1-2). Considering these, Wijesekera & Nanayakkara (2024) suggest the following in their report.

- a) ESL curriculum should shift to content-based language teaching with *Soft CLIL*⁴⁶ as methodology.

⁴¹ Baker, C., & Wright, W.E. (2017). *Foundation of bilingual education and bilingualism*, (6th edn). Beaverton: Ringgold Inc.

⁴² BICS and CALP – Introduced by Cummins (1997) mean Basic Interpersonal Communication Skills and Cognitive Academic Language Proficiency: subject/s specific language

⁴³ Wijesekera, H. D. & Nanayakkara, P. (2024): *Situational Analysis of Bilingual Approach (English Medium Instruction) in Sri Lankan government and assisted schools: Towards Informed Policy Recommendations*. Colombo: National Education Commission.

⁴⁴ National Education Commission. (2003). *Proposals for a National Policy Framework on general education in Sri Lanka*. Nawala: National Education Commission.

⁴⁵ Nikula, T. (2017). ‘What’s the Moment Thingy?’: On the Emergence of Subject-Specific Knowledge in CLIL Classroom Interaction. In J. Langman, & H. Hansen-Thomas (Eds.), *Discourse Analytic Perspectives on STEM Education: Exploring Interaction and Learning in the Multilingual Classroom* (pp. 11-29). Springer International Publishing. Educational Linguistics, 32. https://doi.org/10.1007/978-3-319-55116-6_2

⁴⁶ ‘Soft CLIL’ focuses on language and the content is used as input and ‘Hard CLIL’ focuses on teaching subject content. This language teaching methodology comes under Communicative Language Teaching approach

- b) This approach not only provides EMI students with enhanced EL support (both BICS and CALP)⁴⁷ but also exposes MTI students to academic/profession/vocation-related English meeting EL requirements in higher education and employment and aligning with NEC's vision for equal access to English.
- c) Simultaneously, both EMI and MTI subject teachers must also be made aware of their role as language educators. Acknowledging that every teacher is a language teacher, it is imperative that the significance of both 'language for' and 'language of' subject learning is not overlooked. Academic language in MT should not be neglected and every content teacher teaches new language forms, terms and structures in their science, math, and etc. classrooms.
- d) To this end, initial teacher training programs catering to both MTI and EMI teachers should incorporate CLIL methodology and Language Triptych framework⁴⁸ as a pedagogical tool in content classrooms. The intended MOI policy should ensure that educators are well-equipped to navigate the evolving landscape of language education and contribute to the language development of their students who ultimately showcase their skills, knowledge and attitudes concerning the subject matter in language⁴⁹.

Lack of Policy on BE/EMI and Discrepancies

5.5. The Supreme Court of Sri Lanka (SC Appeal No. 52/2020) reiterates that "...the Circulars issued by the Ministry of Education from time to time displays a clear lack of vision" (p. 27). Our analysis⁵⁰ also shows many discrepancies resulting from lack of evidence-informed and ad hoc decisions. As illustrated in the report (Wijesekera & Nanayakkara, 2024), Circular 2010/27 is to avoid manipulation of BE for admissions to schools. Clause 4 of this circular bans admissions to Grade 7 without the option that admissions to Grade 7 be allowed if vacancies for EMI exists especially due to limited schools with BE. Another example is Circular HRD/EQD/2002/12 dated 2002.05.10. It directs the relevant officials to make opportunities available for diverse ethnolinguistic groups to study in one classroom. When this circular is still enactive another circular is issued restricting separate classrooms for EMI students (Circular No2008/12 dated 21.04.2008). Both circulars show lack of critical thinking about the related phenomena and ground situations. For instance, when banning separate classrooms for EMI students, the advantages that can be yielded concerning social cohesion through shared lived experiences in BE classes in multiethnic schools is completely ignored as Wijesekera^{51,52} pointed out. Hence, it is critical that an evidence-informed policy on BE/EMI be introduced in addition to MOI

⁴⁷ BICS and CALP – Introduced by Cummins (1997) mean Basic Interpersonal Communication Skills and Cognitive Academic Language Proficiency: subject/s specific language

⁴⁸ Coyle, D. (2007). Content and Language Integrated Learning: Towards a Connected Research Agenda for CLIL Pedagogies. *International journal of Bilingual Education and Bilingual*, 10(5), 543-562. <https://doi.org/10.2167/beb459.0>

⁴⁹ Wijesekera, H. D. & Nanayakkara, P. (2024): *Situational Analysis of Bilingual Approach (English Medium Instruction) in Sri Lankan government and assisted schools: Towards Informed Policy Recommendations*. Colombo: National Education Commission.

⁵⁰ Please refer Wijesekera & Nanayakkara (2024), the report on "Situational Analysis of current practices of BE approach (EMI) in Sri Lankan government and government assisted schools: Towards Informed Policy for full analysis of circulars

⁵¹ Wijesekera, H. D., (2018), Students' ethnolinguistic identities in multiethnic, Bilingual Education classrooms in Sri Lanka, Ph.D. thesis. Queensland University of Technology.

⁵² Wijesekera, H., & Hamid, M. (2022). The dynamics of bilingual education in post-conflict Sri Lanka. In L. Adinolfi, U. Bhattacharya, & P. Phyak (Eds.), *Multilingual Education in south Asia* (pp. 4–25). Routledge. Taylor and Francis group

policy. The following Table extracted from Wijesekera & Nanayakkara (2024) presents the Analysis of the Circulars issued by the Ministry of Education.

Table 1: Analysis of Circulars/Circular letters/Cabinet decisions, documents issued on BE since 2001

Cabinet decisions Circulars & documents		Key directives and highlights	Critical Observations by the Experts
1	No. 01/0981/11 /067 21.12.2000	The cabinet decision which allows commencing of teaching science subjects in EM in the Science stream in G.C.E. (A/L).	Aim of introducing EMI is to develop competence in English as an international language in the context of globalization and rapid changes in communication - facilitate higher education and job requirements
2	2001/05 23.02.2001 (Circular)	Allows teaching Biology, combined Mathematics, Chemistry, Physics and Agriculture in English medium in the Science stream in GCE A/L. - Optional - Applicants can decide the medium according to their discretion when they sit for GCE A/L - Applicants can appear even for one subject in EM at GCE A/L	The circular mentions that before taking the decision to start teaching Science subjects (GCE A/L) in the English Medium, an island wide survey was conducted. To take evidence-based decisions, this is a good move. <u>However, the time difference between the circular issuance (23 Feb 2001) and commencing of the program (It is instructed in the circular to commence the program in May, 2001.) was only three months. When a new implementation is introduced, the relevant circular should usually be issued at least two years prior to the implementation, allowing adequate time for preparations. Nevertheless, this move indicates rushing of policies and implementation without readiness, for instance, not having proper teacher training which resulted many chaos later.</u>
3	No. 00/2164/11 /016 14.06.2001	The cabinet decision which allows to commence the National Amity Schools Project. [The next circular directs the relevant officials to activate the decision]	The main focus was social cohesion i.e., to bring the two linguistic communities (Sinhala and Tamil) through common EM in BE classes. It is observed that the decision makers have not considered the ground situation. The number of schools attended by all ethnic groups is very limited in many provinces making it unfeasible to implement this program in most areas in the country.
4	2002/12 2002.05.10 Subject: National Amity schools Project	-To enhance social harmony and develop proficiency of students in Sinhala, Tamil and English providing opportunities to study selected subjects in English medium - Subjects be offered in EM: Mathematics, Science, Social studies, Health & Physical Education	<u>The aim of Amity program is different from the BE/EMI. The latter focuses on developing English proficiency to fulfil higher education and job market demands. The former (Amity program) focuses on social cohesion by bringing Sinhala and Tamil speaking students together via common English Medium.</u> Expansion of pilot program on National unity and cohesion to Grade 6 onwards

		-Stipulated 'selection criteria' for BE/EMI – Students' willingness and capability, and availability of competent subject teachers	It is assumed that mother tongues (including 2 nd National Language) and English will also develop when students of all linguistic groups work together in one class Grade 6 – 3 subjects, Gr 7 increases to 4 subjects in EM Refers to schools already implementing the pilot project but other schools are also eligible
5	2002/17 2002.07.30	GCE A/L Examination Applicants in the Science stream can sit either for all subjects or selected subjects in EM. Students must decide the medium when applying for the examination, cannot change later. Enable BE/EMI applicants to request the question papers in their first language, in addition to EM paper.	Allowing the students discretion in selecting the medium and providing MT paper are positive steps. Lack of long-sighted policies and prior planning is evident in this circular issuance. Authorities have now realized it takes time to develop academic language so that option must be granted i.e., it takes 5 to 7 years to develop Cognitive academic Language Proficiency (CALP) even in an acquisition rich environment when learning in a second language.
6	2003/18 2003.05.05	Medium of instruction at Primary level must be the first language; Sinhala/ Tamil	<u>Prohibit schools starting BE/EMI from Grade 1 – after this circular, the schools that had already started EMI from Grade 1 were compelled to shift to MTI. This restriction on government schools is completely against equal rights to education, as International Schools (IS) are allowed to offer EMI from Grade 1.</u>
7	ED/01/12/0 1/01/13 2003.09.30 Circular letter	MoE's prior approval needed to commence EM classes to teach selected subjects in English from Grade 6	Issued mainly for 2 reasons: verify the no. of EM textbooks for distribution purpose and get statistics on actual no. of BE teachers for training purposes
8	2007/05 2007.03.02	-Extension to the circular 2002/12. This circular mentions the subjects that the BE/EMI students can/cannot appear in EM at GCE (O/L) - necessary resources to be provided by the schools for the subjects not included in the circular 2002/12	Issued to address NEC recommendation (Ref 2007/05) providing directions to students who started EM in Grade 6 and now sitting for GCE (O/L) The subjects mentioned in the circular are culturally and emotionally close to ethnicities– e.g., MT, Barath Natyam, Eastern music, Hinduism) <u>Interestingly, Buddhism is not included in the 'could not be appear' list without giving any justification. This exemption might be done deliberately because by that time government assisted schools offered religion in EM.</u>

			<p><u>This exemption appears very similar to what happened in 1920 when the Education Ordinance No. 1 that imposed regulations on MOI was introduced. In this ordinance as well, there is no mention of fee-levying missionary government-assisted schools, allowing them to continue with EM.</u></p> <p><u>The circular says ‘necessary resources’ but not defines what they are. This shows the irresponsibility of authorities that cause many ambiguities among implementing institutions and also fund allocation.</u></p>
9	2005/30 2005.09.29 (Not implemented)	Paragraph 4.2 of the circular “If a school has necessary physical and human resources, the school can decide to teach any subject in the English medium”	<u>This is a common circular that aligns with the implementation of new curriculum reforms introduced in 2007. Though the circular was issued it was abolished with the changes in higher positions in the education. This provides a good example for uncertainty and lack of common vision, accountability in decision making and implementation.</u>
10	No. 08/0368/31 6/026 27.02.2008 Cabinet decision	This circular allows offering some subjects in the curriculum in EMI in the other two streams (Commerce and Arts) as well. (Teaching through EM in the Science Stream was allowed earlier by Circular 0/2164/11/016 of 14.06.2001)	This is a good example for repeating the same mistake which shows lack of long sightedness in policies. The first batch of BE/EM students sat the G.C.E.(O/L) in 2007, the cabinet decision was taken after the examination which resulted in poor preparation for the event.
11	2008/12 2008.04.21 [This is one of the most discriminatory circulars] (Under Ed reforms and implemented since 2007 to the present) Clause 4 Refers to conducting Bi-medium classes	Clause 4 -Maximum of five subjects – two core subjects excluding English (Science & Mathematics) & three category subjects {Geography, Citizenship education, Entrepreneurship, Western Music, ICT, Health & Physical Education) -History cannot be taught in EMI - effective from grade 6 in 2009) Schools can start BE even with one subject based on the resources of the school	<u>Ban schools from allocating a separate classroom for BE/EMI students. Directs the schools to mix them with SM and TM students in one class (bi-medium classes) where EMI students have to move to another class for EMI instruction. Not consider the potential social cohesion gains in multiethnic schools; time waste in moving between periods which affects BE/EMI students mentally and educationally as revealed by students and teachers]</u> Also stipulates BE/EMI must not be taken as a criterion for school admissions. BE/EMI students must be ‘selected’ only from Gr 6 students in the school [Not consider the vacancies that a school may have in BE/EMI and giving opportunities at least for the students in surrounding schools – usually in some EMI classes there are a very few students such as 10 in some schools outside urban areas]

			<p>4.4. & 4.5 Limit the number of subjects to maximum five. Prohibit History through EM without justification.</p> <p><u>Private candidates [mainly from International/Private Schools] are exempted from this ban. Highly discriminative towards the students in public schools and sometimes government-assisted schools also]</u></p> <p>This Circular also implies an attempt to expand BE/EM by providing directives to schools to initiate the BE/EMI program, offering at least one subject through English. BE/EMI students' discretion to select the medium when applying for public examinations</p>
12	2008/12(i) 2008.09.15	Amendment to 2008/12 including the subject 'Commerce and Business Studies' in addition to Entrepreneurship Studies	Number of category subjects increased. This change was done due to the change made to the main circular on the curriculum reform.
13	2008/43 2008.11.03	<ul style="list-style-type: none"> - Allows 10 subjects to teach in GCE A/L classes including Commerce and Arts streams. - Schools can start to teach other subjects in EM as well based on resource availability with the approval of MoE. 	It seems lack of preparation and long sightedness. This caused many issues, shortage of teachers as the most critical factor. Though the program was expanded to other subject streams as well even now there is a limited number of schools with A/L classes in EM.
14	2010/27 2010.08.26	<p>Circular to emphasize matters in the previous circulars more</p> <p>Specially provides directive to the admission of students to BE classes.</p>	<p>It seems this circular mainly focuses on stopping malpractices related to admissions to EM classes.</p> <p>e.g., "...It is not allowed to use the bi – medium class as a privilege for the admission of students to any school": "Students who are not learning in bilingual education, should not be admitted to the grade 7 as bilingual students" <u>Again not consider the vacancies that may exist in BE/EMI and providing opportunity for learning through EM in surrounding schools where EM is not available. The NEC's policy aims to provide equal opportunities (and those who are willing) for EM is restricted by this circular just to stop malpractices at school level without giving much thought to opportunities losing.</u></p>
15	2012	Introduction of Content and Language Integrated Learning (CLIL) as the learning teaching methodology under the umbrella term of BE	There is no circular related to this. But a Handbook on Content and Language Integrated Learning (CLIL) published was issued by the MoE in 2016. <u>Though this is a good action it again shows the lack of planning and evidence-informed policy. The</u>

			<u>schools were instructed to start BE/EMI in 2000 but the teaching/learning methodology is introduced in 2012.</u>
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Fearing Linguistic Loss

5.6. The public, including BE/EMI stakeholders, is concerned if EMI threatens MT leading to linguistic loss. Nonetheless, empirical research confirms the opposite i.e. that EMI with flexible navigation between MTs or heteroglossic classroom policy consolidates literacy and academic knowledge, and improves target language learning while reinforcing students' MT^{53,54}. A study by Medawattegedera (2012)⁵⁵ shows that "concerns about possible language loss and a decrease in written Sinhala..." due to EMI "are completely unfounded" in public schools. Instead, using evidence, she claims that EMI nurtures cognitive academic proficiency in the MT. Moreover, Wijesekera's study (2018) corroborates that not only EMI enhance subject-specific literacy in MT but it also encourages learning of the 2nd National Language, supports growing respect for diversity, and social cohesion⁵⁶ in multiethnic EMI classrooms. These findings were reconfirmed during interviews and focus-group discussions conducted by Wijesekera and Nanayakkara for the NEC (2024) study⁵⁷.

However, there are tendencies towards failing the mother tongue at GCE (Ordinary Level) in some government-assisted schools. A case study in a government-assisted school that explored reasons for the increased failure rate of mother tongue (Sinhala/Tamil) among BE/EMI students reveals that it was mainly due to neglect or unsuccessful teaching and learning of the MT⁵⁸. Hence, the Wijesekera and Nanayakkara (2024) report emphasizes that

- a) MOI policy should consider 'languages in education' in Sri Lanka not only English
- b) "The proper implementation of the language policy and ensuring trilingual (Sinhala, Tamil, English) fluency of future generations becomes vitally important" (310) as LLRC (2011)⁵⁹ recommends

⁵³ Lo Bianco, J. (2023, May 19). "Bilingual Education" [Keynote Speech] Official Inauguration of Postgraduate Diploma in Education 2022/23. Open University of Sri Lanka, Nawala, Colombo, Sri Lanka

⁵⁴ Wijesekera, H. D., (2018), Students' ethnolinguistic identities in multiethnic, Bilingual Education classrooms in Sri Lanka, Ph.D. thesis. Queensland University of Technology.

⁵⁵ Medawattegedera, V. (2012) "A Microscope under any other name" - Code Switching in the English - Medium Science Classroom: An Investigation of Two Schools in Sri Lanka. *Vistas Journal of Humanities & Social Sciences*. Volume 7 & 8 (2011/2012) pp. 239 – 257.

⁵⁶ This, reconfirms the achievement of the second objective of BE if BE classrooms are ethnolinguistically diverse (Wijesekera, 2018).

⁵⁷ Wijesekera, H. D. & Nanayakkara, P. (2024): *Situational Analysis of Bilingual Approach (English Medium Instruction) in Sri Lankan government and assisted schools: Towards Informed Policy Recommendations*. Colombo: National Education Commission.

⁵⁸ Arachchige, S. 2022. Latent reasons for low achievements in Mother Tongue (Sinhala/Tamil) among the Bilingual Education learners in a government assisted school in Colombo, Sri Lanka. Unpublished Master of Arts Thesis, Postgraduate Institute of English. Open University of Sri Lanka.

⁵⁹ Report of the COMMISSION OF INQUIRY ON LESSONS LEARNT AND RECONCILIATION. (2011). <https://reliefweb.int/report/sri-lanka/report-commission-inquiry-lessons-learnt-and-reconciliation> on July 21, 2023.

Access to EMI/BE and Equity

5.7. Given English's supremacy as the most sought-after linguistic capital, the English language both as a subject (ESL) and as a medium of instruction (EMI), is "...intricately tied with aspirations, identities and sociocultural status of people"⁶⁰ (p. 192). Lo Bianco (1999)⁶¹ in an interview with ABC reiterates that English in Sri Lanka has been "a quite ambivalent factor in social progress. For some people it represented progress, [...] but for the great majority it was not" (ABC). This becomes quite alarming when access to free EMI in public schools is extremely limited, resulting from the failure to expand BE in public schools in contrast to the NEC's (2003)⁶² ideated expectations on addressing the disparities in English language learning through the expansion of EMI via BE. Hence, based on the findings of Wijesekera & Nanayakkara (2024) study, it is suggested that

- a) addressing the limited access to EMI) through a policy is imperative
- b) strategic plans advocating for the expansion of BE/EMI in public schools be done with necessary budgetary provisions

Selection Procedures

5.8. Even in schools where EMI is available, access to EMI is limited mainly due to resource constraints and in some instances due to bureaucracy as revealed by the participants of the research study for the NEC conducted by Wijesekera and Nanayakkara (2024). According to Circular No. 2002/12 dated 10.05.2002, the two 'selection'⁶³ criteria to BE/EMI classes are students' willingness and resource availability. Nonetheless, resulting from resource constraints, some schools are compelled to 'select' students due to high demand. Wijesekera & Nanayakkara (2024) survey data analysis illustrates that 75% of schools use various formal tests to limit EMI access to students. A recent survey in a prestigious Colombo school reveals that many children who are deprived of EMI are Grade 5 scholarship holders who come from rural areas. As discussed in the same report (Wijesekera & Nanayakkara, 2024), the complexity of gatekeeping in EMI is demonstrated in cases where bureaucratic barriers hindered expansion of EMI despite available funds through Old Pupils' Associations. There are many Human Rights cases and appeals to the Ombudsman which are not publicly reported unlike in the case of Asoka Vidyalaya where parents sought justice through the courts.

Furthermore, there are also significant variations in the BE student population across Provinces that show high disparities contradicting the NEC's goal of 'equal access' to EMI/BE. For example, BE students in provinces like Northern, Eastern, North Central and Uva are significantly less compared

⁶⁰ Padwad, A., Wijesekera, H.D, Phyak, P., Manan, S., & Mohamed, N. (2023). EMI in south Asia. In C. Griffiths (Ed.), *The practice of English as a medium of instruction (EMI) around the world* (pp.190-210). Springer.

⁶¹ Lo Bianco, J. (1999, July 10). Sri Lanka's bi-lingual Education Plan. Interview by Jill Kitson. *Lingua Franca* [Radio broadcast]. Australia: ABC RN. Retrieved from <http://www.abc.net.au/radionational/programs/archived/linguafranca/sri-lankas-bi-lingual-education-plan/3563390>.

⁶² National Education Commission. (2003). *Proposals for a National Policy Framework on general education in Sri Lanka*. Nawala: National Education Commission.

⁶³ We use selection/select with the quotation mark since the work used in these circulars does not represent the literary/dictionary meaning though this was misinterpreted later by the MoE

with the Western Province⁶⁴, as also discussed elsewhere in this report. To address these inequalities and ensure equity,

- a) a thorough examination and careful decision-making are essential in formulating the new policy;
- b) the new policy must include all categories of schools: the schools that come under MoE and those which are not since the latter also perform a national duty of educating our children⁶⁵.

Entry Point to BE/EMI

5.9. The SC Appeal was also about MoE's demand to stop EMI offering from Grade one at Asoka Vidyalaya. According to Wijesekera & Nanayakkara (2024)⁶⁷ survey results, a little more than half of the participant teachers (52.5%) select Grade 1 as the best class to start BE while 36.6% say the best grade is 6. Additionally, there were EMI activists and teacher educators who viewed Grade 1 as the best start point. When the survey results were triangulated in FGDs in the situational analysis study, many participant teachers and other stakeholders justified Grade 1 as the best since students' language anxiety and shyness during the early stages are either absent or low. Further, they argued that starting from Grade 1 is an effective way to compete with international schools. The participants also questioned if international schools are given permission to start from Grade 1, why not public and government-assisted schools as well. Teacher and zonal teacher-educators proposed to start teaching environment related themes through English in primary classes. Therefore, it is suggested in Wijesekera & Nanayakkara (2024)⁶⁷ that

- a) the schools and parents should have decision making powers based on the availability of resources
- b) the public schools that have resources should be allowed to start EMI from lower grades
- c) teaching one subject/themes such as Environment through English starting at primary level
- d) ESL lessons from Grade 3 may use environmental related lessons for ESL teaching using CLIL methodology, alternatively moving a step beyond the ABOE program (Refer to Wijesekera & Nanayakkara, 2024 for more details.)

Social Division between EMI and MTI Students

5.10 There is an opinion among the BE stakeholders that BE students try to maintain 'elitism' and that they relegate MTI students and teachers. This led to banning separate EMI classrooms (Circular 2008/12: 21.04.2008). Contrarily, Wijesekera (2018)⁶⁶ found that EMI students (minority) are relegated in schools by MTI students and teachers. The relegation of EMI students by school authorities, including principals, was confirmed during stakeholder FGDs and interviews, indicating a widespread problem in many schools. Therefore,

⁶⁴ Ministry of Education. (2021). School Census Report 2021, https://moe.gov.lk/wp-content/uploads/2023/02/School_Census-2021_Summary-Tables-Final-Report1.pdf on August 17,2023.

⁶⁵ Wijesekera, H. D. & Nanayakkara, P. (2024): *Situational Analysis of Bilingual Approach (English Medium Instruction) in Sri Lankan government and assisted schools: Towards Informed Policy Recommendations*. Colombo: National Education Commission.

⁶⁶ Wijesekera, H. D., (2018), Students' ethnolinguistic identities in multiethnic, Bilingual Education classrooms in Sri Lanka, Ph.D. thesis. Queensland University of Technology.

- a) This issue must be addressed in policy formulation and strategic planning
- b) Awareness raising on EMI and English from a Global English perspective utilizing public/social media

Ethnolinguistic cohesion through BE/EMI

5.11 As Wijesekera et al (2019)⁶⁷ claim [i]t is hard to dispute, empirically, the mutually constitutive effect of MTI [...], ethnic exclusion, ethnocentric identity construction, and the historically divided nation in Sri Lanka” (p. 28) In contrast, ethnolinguistically diverse students in multiethnic EMI classrooms develop respect for the language of the ‘other’, and *in-group sense* when they achieve common educational/social goals and brings reciprocity, inclusion, social cohesion, and many other social, linguistic, and educational gains^{69,68,69,70}. EMI can bring once alienated children of diverse groups together which is well witnessed in international schools. These are lessons to learn and to consider when a policy on MOI is formed. Hence,

- a) the polarized school system in the country must consider a complete overhaul,
or
- b) new multiethnic schools with BE/EMI be established to bring an ethnolinguistically inclusive school system starting in ethnolinguistically diverse districts/zones

EMI and Higher Education

5.12. Increasingly, the prevalence of EMI extends to social sciences, humanities, and arts education within Sri Lankan state universities in addition to long prevailing EMI in science and engineering degrees. Furthermore, students in public schools are increasingly opting for semi-government/private HEIs offering programs in EM. Thus, it is imperative that secondary education prepares students for EMI in HEIs. International and private schools are already doing this, and many parents struggle to send their children to these schools with extreme hardships due to EMI. All participants in Wijesekera & Nanayakkara (2024) acknowledged the benefits of EMI in higher education at the interviews and FGDs. Informal discussions with academics from HEIs affirmed a positive correlation between EMI in secondary education and English language proficiency and motivation, while MTI students often struggle to catch up, especially in initial semesters. Moreover, a significant student population who attend private/international schools sit the local examinations as private candidates to gain entry to local universities. Subsequently, as suggested by Wijesekera and Nanayakkara’s (2024) recommendations on BE/EMI, the forthcoming policy on MOI must consider

⁶⁷ Wijesekera, H. D., Alford, J., & Mu, M. G. (2019). Forging inclusive practice in ethnically-segregated school systems: lessons from one multiethnic, bilingual education classroom in Sri Lanka. *International Journal of inclusive education*, 23(1), 23-41.

⁶⁸ Wijesekera, H. D., (2018), Students’ ethnolinguistic identities in multiethnic, Bilingual Education classrooms in Sri Lanka, Ph.D. thesis. Queensland University of Technology.

⁶⁹ Wijesekera, H. D. (2021) Recognizing Diversity” “Multiethnic” Sinhala- and Tamil-medium schools in Sri Lanka/ In Christina P. Davis and Chaise LaDousa (Eds). *The Language, Education, and Identity: Medium in South Asia*. Routledge

⁷⁰ Wijesekera, H., & Hamid, M. (2022). The dynamics of bilingual education in post-conflict Sri Lanka. In L. Adinolfi, U. Bhattacharya, & P. Phyak (Eds.), *Multilingual Education in south Asia* (pp. 4–25). Routledge. Taylor and Francis group

- a) not only the language requirement of increasing student population that seeks private/international tertiary education but that of the state universities that are increasingly converting to EMI and expand BE/EMI in general education
- b) eradicating the existing dichotomy between public and private/international students in future policy on Medium of Instruction
- c) aligning policies with citizens' aspirations and fundamental rights, fostering inclusive education

Section Conclusion

5.13 The aim of the present Section is to help formulate a just and fair policy on MOI to address the important directives given by SC Appeal Judgment 52/2020 of 13.01.2023. The intended MOI policy must aim to reduce the disparities resulted from ill-informed and lack of critical awareness of local and global trends, existences, and necessities among the decision-makers. The policy must clearly define the responsibilities of the institutions involved, MoE, NIE, etc., with a clear framework for these stakeholder institutions to establish working relationships concerning BE/EMI because the empirical study also revealed the confusion and overlapping among these institutions.

One caveat is that this section does not discuss the other aspects such as cross-fertilization, teacher education, assessment, curriculum/textbooks/teacher guides, etc. due to limited space - teacher education being the most critical aspect. It is recommended to consult the main study for NEC by Wijesekera and Nanayakkara (2024)⁷¹.

⁷¹ Wijesekera, H. D. & Nanayakkara, P. (2024): *Situational Analysis of Bilingual Approach (English Medium Instruction) in Sri Lankan government and assisted schools: Towards Informed Policy Recommendations*. Colombo: National Education Commission.

Annexes

Annex 01: Terms of Reference for the Expert Team Commissioned to Formulate ‘Recommendations on National Policy on Medium of Instruction in Schools’

Purpose:

Review the current status in relation to the current policy and practices on ‘medium of instruction in schools and formulate a policy document titled **‘Recommendations on National Policy on Medium of Instruction in Schools’**.

Specific Objectives:

- i. Review the existing legal enactments, policies and regulations, and practices relating to the topic;
- ii. Review the published and unpublished reports on the topic;
- iii. Conduct field visits, stakeholder discussions/workshops, case studies., as relevant;
- iv. Draft a document on the ‘Recommendations on National Policy on Medium of Instruction in Schools’ through participatory approach and processes, and validate it at a national workshop; and
- v. Submit the final draft of the edited and formatted document titled **‘Recommendations on the National Policy on Medium of Instruction in Schools’**.

Terms and Conditions of the Assignment:

- i) Prepare a work plan on the assignment and submit it by 30th August 2023;
- ii) Conduct the review that may involve the review of existing Acts, Policies and Regulation and published and unpublished reports relevant to the topic;
- iii) Conduct stakeholder discussions/workshops, case studies, field studies to examine the current practices and seek stakeholder views;
- iv) Prepare a draft policy document on ‘Recommendations on National Policy on Medium of Instruction in Schools’ and validate it at a national workshop; and
- v) Submit the final edited and formatted document **titled ‘Recommendations on National Policy on Medium of Instruction in Schools’** by 15th February 2024.

Expert Team will be provided with logistic support for field visits and also for the conduct of stakeholder discussions and the national validation workshop. Further, they will be assisted by the NEC research staff assigned for this task.

Expert Team:

- i) Dr. Upali M. Sedere, Former Secretary to the State Ministry of Education Reforms (**Lead Expert**)
- ii) Prof. Sandagomi Coperahewa, Senior Professor (Chair) & Head / Department of Sinhala, University of Colombo
- iii) Prof. Dushyanthi Mendis, Professor in English, Department of English, University of Colombo
- iv) Prof. Carmen Wickramagamage, Professor in English, Department of English, University of Peradeniya
- v) Dr. Kala Chandramoahan, Head/Dept. of Language Studies, Open University of Sri Lanka
- vi) Dr. Harsha D. Wijesekera, Senior Lecturer, Postgraduate Institute of English, Open University of Sri Lanka
- vii) Ms. Priyatha Nanayakkara, Former Director of Education, (Bilingual Education), Ministry of Education

Specific Tasks Assigned to Lead Expert:

- i) Lead the expert team, and in liaison with other members of the expert team conduct the review and prepare the 1st draft of the document titled “Recommendations on National Policy on ‘Medium of Instruction in Schools’; and
- ii) Conduct a national workshop in liaison with members of the expert team to validate the 1st draft, and submit the final edited and formatted document titled ‘**Recommendations on National Policy on Medium of Instruction in Schools**’


Expected Output and Outcome

Report on the assignment and edited and formatted document titled ‘Recommendation on National Policy on Medium of Instruction in Schools’.

Time Period:

From 15th August 2023 to 15th February 2024

Annex 02: The Attorney General's response

<p>මගේ අංකය எனது இல. } E/440/2023 My No. }</p> <p>ඔබේ අංකය உமது இல. } Your No. }</p> <p>දුරකථන අංක தொலைபேசி இல. } 2147888 Telephone Nos. } 2433967 2320800 2327919 2149001(2)</p> <p>ඉලෙක්ට්‍රොනික් තැපෑල மின் அஞ்சல் } administration@attorneygeneral.gov.lk E-mail }</p> <p>ෆැක්ස් தொலைநகல் } 2436421 Fax }</p>	 <p>ජීනීපති දෙපාර්තමේන්තුව சட்டமா அதிபர் திணைக்களம் ATTORNEY - GENERAL'S DEPARTMENT</p>	<p>තැ.පො.අංකය அஞ்சல் பெட்டி } 502 P.O. Box No. }</p> <p>කොළඹ 12. கொழும்பு 12. Colombo 12.</p> <p>18 January 2023</p>
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Chairman
National Education Commission
1st Floor, Block 5,
Bandaranaike Memorial International Conference Hall,
Colombo 07.

Request for a clarification of Article 21 of the Constitution

I write in reference to your letter dated 20 November 2023 on the above subject matter.

In the aforesaid letter, you have requested a clarification on the constitutional provisions on the medium of instruction in school education in Sri Lanka.

In terms of the Constitution of the Democratic Socialist Republic of Sri Lanka, the applicable constitutional provision on the medium of instruction in school education is Article 21 of the Constitution.

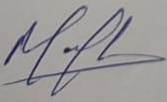
Article 21 must be read with Article 19 of the Constitution which provides that, "The National Languages of Sri Lanka shall be Sinhala and Tamil".

It may be noted that Article 25 provides for adequate facilities for the use of languages as provided for in Chapter IV of the Constitution. The said provision is denoted in verbatim below.

"The State shall provide adequate facilities for the use of the languages provided for in this Chapter"

It may also be noted that in terms of Article 21, a person is "entitled" to be educated through the medium of either of the National Languages, and adequate facilities must be mandatorily provided for the same in terms of Article 25. Subject to the same, policy decisions on the medium of instruction in education can be taken in terms of the Judgment in SC Appeal 52/2020.

I take note of the observations made by the Supreme Court in SC Appeal 52/2020 on the importance of English "for every student of this country"



Madhushka Kannangara
State Counsel

Sgd./ Sanjay Rajaratnam P.C.,
Attorney General

Annex 03: Performance in English Language

Table 1: GCE Ordinary Level - Performance in English Language

YEAR	%A	%B	%C	%S	% Pass [A,B,C,S]	% Fail
2005	8.87	4.07	8.58	14.65	36.18	63.82
2006	9.14	3.99	7.59	16.09	36.82	63.18
2007	12.87	5.16	8.87	13.03	39.94	60.06
2008 ¹	6.39	3.59	6.61	14.33	30.92	69.08
2009 ²	9.10	4.51	8.84	15.09	37.54	62.46
2010 ³	8.74	4.04	11.07	19.52	43.36	56.64
2015	7.33	5.49	11.33	21.24	45.44	54.60
2018	10.74	7.34	15.22	21.59	54.90	45.10
2019	10.58	8.48	18.06	25.24	62.36	37.64
2020	10.77	8.77	20.75	25.49	65.78	34.22
2021	12.8	9.48	20.35	30.22	72.86	27.14

^{1,2,3} New Syllabus

Source: Statistical Handbook [for the years under reference], Dept. of Examinations, Sri Lanka

Table 2: GCE Advanced Level - Performance in General English

YEAR	%A	%B	%C	%S	% Pass [A,B,C,S]	% Fail
2005	2.16	2.77	7.03	12.01	23.96	76.04
2006	1.89	2.54	7.05	12.66	24.14	75.86
2007	2.71	3.48	8.96	14.63	29.78	70.22
2008	2.45	3.42	8.65	13.75	28.27	71.73
2009	2.32	3.32	7.96	14.59	28.19	71.81
2010	3.43	3.43	8.27	14.37	29.75	70.25
2014	NA ³	NA	NA	NA	40.83	59.17
2015	NA	NA	NA	NA	39.19	61.81
2017	5.25	4.81	11.31	19.29	40.66	59.34
2018	4.92	4.91	10.10	20.63	40.55	59.45
2019 ¹	6.73	5.74	12.10	25.97	50.55	49.45
2020	8.40	6.72	13.16	25.72	54.00	46.00
2021 ²	6.95	6.31	12.60	29.57	55.43	44.57

^{1,2} New Syllabus

³ Not available

Source: Statistical Handbook for the years under reference, Dept. of Examinations, Sri Lanka