



## *Church of Ireland United Dioceses of Dublin & Glendalough*

### **PRIMARY SCHOOLS ADMISSIONS POLICY**

This document has been issued to schools in the United Dioceses of Dublin & Glendalough by the Patron, to assist in the formulation of an admissions<sup>1</sup> policy for your school.

The document is a guide only and issues of specific local import should be referred to the Patron for his/her guidance. Legal advice should be sought from the school's own solicitor.

#### **Legal Background:**

The Education Act 1998 states<sup>2</sup>:

*A board shall perform the functions conferred on it and on a school by this Act and in carrying out its functions the board shall-*

*(d) publish, in such manner as the board with the agreement of the patron considers appropriate, the policy of the school concerning admission to and participation in the school, including the policy of the school relating to the expulsion and suspension of students and admission to and participation by students with disabilities or who have other special educational needs, and ensure that as regards that policy principles of equality and the right of parents to send their children to a school of the parents' choice are respected and such directions as may be made from time to time by the Minister, having regard to the characteristic spirit of the school and the constitutional rights of all persons concerned, are complied with...*

While the formulation of an admissions policy is the responsibility of the Board of Management, it must also

- be agreed by the Patron
- be published<sup>3</sup>
- comply with other legislation, eg equality legislation
- have regard to the characteristic spirit of the school
- have regard to the constitutional rights of children and their parents

Related policies should also be formulated and made available, e.g. the school's code of behaviour.

#### Education (Welfare) Act 2000

This Act provides that a child may only be refused admission to a school on the basis of the admissions policy that the Board of Management has formulated, and for no other reason. It states<sup>4</sup>

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<sup>1</sup> In this document, reference to admission and enrolment is used interchangeably.

<sup>2</sup> Section 15 (2)(d)

<sup>3</sup> There is no complete definition of what this means, but the policy should at the very least be provided to parents seeking to enrol their child in the school. Where the School has a website, the policy should be on it.

<sup>4</sup> In Section 19(1)

*The Board of Management of a recognised school shall not refuse to admit a student in such school a child, in respect of whom an application to be so admitted as been made, except where such refusal is in accordance with the policy of the recognised concerned published under section 15(2)(d) of the Act of 1998.*

The Education (Welfare) Act also provides<sup>5</sup> that parents who apply for the admission of their child to a school shall be provided with the code of behaviour of the school.

The Education Act 1998 requires<sup>6</sup> the Board to make arrangements for the circulation of the school plan to parents.

There is also provision for an appeals process where admission is refused. This is in accordance with Section 29 of the Education Act 1998. The Minister has directed in the Section 29 Appeal Procedures<sup>7</sup>, that parents should be notified of this right of appeal when a decision to refuse admission has been made.

Decisions on an admissions application are to be made **within 21 days** of the provision of all relevant information by the Applicants. The outcome of such decision should be communicated in writing to the Applicants.

The Equal Status Act, 2000, (as amended by the Education (Admission to Schools) Act 2018) states:

7. (2) *An educational establishment shall not discriminate in relation to-*

- (a) the admission or the terms or conditions of admission of a person as a student to the establishment,*
- (b) the access of a student to any course, facility or benefit provided by the establishment,*
- (c) any other term or condition of participation in the establishment by a student,*
- or*
- (d) the expulsion of a student from the establishment or any other sanction against the student.*

7 (3) *An educational establishment does not discriminate under sub-section (2) by reason only that-*

...

- (ca) where the establishment is a school providing primary or post-primary education to students and the objective of the school is to provide education in an environment which promotes certain religious values, it refuses to admit as a student a person who is not of a particular religious denomination and it is proved that the refusal is essential to maintain the ethos of the school,*
- (cb) Where the establishment is a recognised primary school and it admits as a student a person in accordance with Section 7A...*

7A (1) *When making an application for admission to a recognised primary school, an applicant may provide-*

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<sup>5</sup> In Section 23

<sup>6</sup> In section 21

<sup>7</sup> issued by the Department of Education & Skills (“DES”)

- (a) *a statement confirming that the student in respect of whom the application relates is a member of a minority religion and that the applicant wishes the student to be educated in a school that provides a programme of religious instruction or religious education which is of the same religious ethos as, or a similar religious ethos to, the religious ethos of the minority religion of the student concerned, and*
  - (b) *any evidence that the applicant wishes to include to support the statement that the student in respect of whom the application relates is a member of a minority religion*
- (2) *A recognised primary school may, following an application in accordance with subsection (1) and in accordance with this section, give priority to the admission of a student where the school is satisfied that-*
- (a) *the student concerned is a member of a minority religion, and*
  - (b) *the school provides a programme of religious instruction or religious education which is of the same religious ethos as, or a similar religious ethos to, the religious ethos of the minority religion of the student concerned.*
- (3) *In satisfying itself in accordance with subsection (2)(a) a recognised primary school shall take into account only-*
- (a) *the statement that the applicant has provided in accordance with subsection (1)(a), and*
  - (b) *any evidence that the applicant has provided in accordance with subsection (1)(b)*
- (4) (a) *Subject to paragraph (b), a recognised primary school may not for the purpose of admission to the school concerned rank, in order of preference, by virtue of the particular religious denomination of a student who has satisfied the school in accordance with subsection (2) as against students of other religious denominations who have satisfied the school concerned in accordance with that subsection.*
- (b) *Nothing in paragraph (a) shall preclude a recognised primary school from applying the selection criteria set out in the school's admission policy to students who have satisfied the school in accordance with subsection (2), where the number of such students is greater than the number of places available.*

The DES expects schools to fill all available spaces. Section 29 appeals taken where there is a refusal to enrol, will generally always succeed where it is proved that there is space available within a school.

However, the issue of whether a school is full or not does not turn on a simple calculation of the number of standard classrooms multiplied by 26. The size of the play area, the number of pupils with special needs and SNAs in a particular classroom, space taken up with equipment for pupils with disability, etc., all have relevance.

Schools should make every effort to group classes in such a way as to keep class sizes as even as possible.

Admissions policies must be inclusive and schools must offer to enrol without reference to special educational needs or disability. However, schools are entitled to seek information with regard to special educational needs prior to actual enrolment so long as the reasons for seeking the information are clearly specified, i.e. in order that all necessary supports or adjustments can either be applied for to the relevant bodies or put in place in advance of the pupil's arrival in the school.

If the school has a special unit attached (e.g. an Autism Unit) it should operate a separate admission procedure for that unit, religious affiliation would not be relevant and the geographical area served would be wider.

An applicant applying for admission to a recognised primary school, may provide a written statement to the school confirming that the student in respect of whom the applicant relates (the “**Applicant Student**”) is a member of a minority religion and the applicant wishes the Applicant Student to be educated in a school that provides a programme of religious instruction/education which is the same or has a similar ethos to the religious ethos of the minority religion of the Applicant Student. The applicant may also provide the school with evidence to support the statement that the Applicant Student is a member of a minority religion. A school<sup>8</sup>, when oversubscribed, may give priority to a such an Applicant Student where the school has received a statement and evidence that the Applicant Student is a member of a minority religion. If priority is to be given to such Applicant Students on the basis of different categories, eg parish boundaries, such boundaries must be clear. Where boundaries are not clear, proximity to the school may be used, i.e. school is the nearest Church of Ireland school to family home.

In satisfying itself that a student is a member of a minority religion, the school shall take into account the evidence to support the statement that the Applicant Student is a member of a minority religion. This evidence generally consists of:

- a letter from the relevant church leader confirming that the Applicant Student is a member of the minority religion *or*
- the signature and stamp of the relevant Church leader on the application form confirming, that the Applicant Student is a member of the minority religion *or*
- a baptismal record issued by the relevant minority religion which confirms that the Applicant Student has been baptised as a member of the minority religion.

A good admissions procedure should go through the following stages:

### **Stage 1. Notification of Intention to Apply**

A family indicate their interest or intention of enrolling their child/children in the school. This can happen at any time between the birth of the child, the family moving into the area and the start of Stage 2.

If interest or intention is expressed at such time as it is not appropriate for the school to consider the request (i.e. the child is only six months and so the Board cannot respond within 21 days) then the school should simply furnish the parent with a Notification of Intention to Apply form. The only information sought on this form is:

- the name of the child
- the date of birth of the child
- the name of the parent/s
- the full postal address for correspondence
- telephone number and email, if required
- the requested date of entry to the school

This form should not ask any questions about religious affiliation or any other question which might be construed as a prejudging of the application.

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<sup>8</sup>Which provides a programme of religious instruction or religious education which is of the same religious ethos as, or a similar religious ethos to, the religious ethos of the minority religion of the student concerned.

The form must state:

*This is not an application form and does not form part of the selection process. The school will make a record of persons wishing to enrol their child/ren in the school for no purpose other than being in a position to post out application forms at the appropriate time.*

The form should also contain the following declaration to be signed by the person/s returning the form:

*I/We wish to give notice our intention to apply for enrolment in respect of \_\_\_\_\_ the intending applicant to \_\_\_\_\_ National School for term \_\_\_\_\_ in the school year \_\_\_\_\_ in accordance with the foregoing information and request that an application form be sent to me/us at the appropriate time.*

*I/We understand that this notification places the intending applicant on a list of those requiring enrolment application for the stated term and year. I/We understand that this notification does not offer any priority whatsoever to the intending applicant nor does it guarantee any place for him/her either for the term and year requested or for any other term or year.*

*I/We understand that it our responsibility to communicate to the school any change in our address for correspondence.*

Receipt of this form should be acknowledged by the school. The school should also include a copy of its data protection policy or a statement in relation to the keeping of such information.

## **Stage 2      Application Form**

The Board should decide the appropriate time to begin the actual application process, bearing in mind the length of time needed to complete the process and the requirement to notify Applicants within 21 days.

At the appropriate time, the Board should issue application forms, together with other relevant information, such as the ethos statement, the admissions policy itself and the code of behavior to all those in respect of whom a Stage 1 form has been received. Applications should also be issued to those who make their enquiry once stage 2 has begun, where the application for admission relates to the relevant school year and is within time.

The application form (one per child) should request the following information:

- full name of the Applicant Student
- full postal address of the Applicant Student
- date of birth of the Applicant Student
- full names of parent/s or guardian/s (the Applicants)
- full postal address of the Applicants
- a declaration, signed by the Applicants, of accuracy of the information
- Whether the Applicant Student is a member of a minority religion and whether the Applicants wish the Applicant student to be educated in a school that provides a programme of religious instruction/education which is the same or has a similar ethos to the religious ethos of the minority religion of the Applicant Student. Where applicable, the following documentation must be provided with the application<sup>9</sup>

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<sup>9</sup> How affiliation is proved should be stated clearly

- a statement confirming that the Applicant Student is a member of a minority religion and that the Applicant wishes the Applicant Student to be educated in a school that provides a programme of religious instruction/education which is the same or has a similar ethos to the religious ethos of the minority religion of the Applicant Student.

**And**

- any evidence that the Applicant wishes to include to support the statement that the Applicant Student is a member of a minority religion consisting of:
  - a letter from the relevant Church leader confirming, that the Applicant Student is a member of the minority religion *or*
  - the signature and stamp of the relevant Church leader on the application form confirming, that the Applicant Student is a member of the minority religion *or*
  - a baptismal record issued by the relevant minority religion which confirms that the Applicant Student has been baptised as a member of the minority religion.

The application form must be returned accompanied by the relevant documentation in order to complete the application. If all relevant documentation is not provided with the application form, the application will not be considered until such time as all relevant documentation is furnished and then only if it is furnished prior to the closing date.

The form should not request any information about gender (unless in the case of a single-sex or boarding school), marital status of parent/s or guardian/s, nationality, language ability, special needs/disabilities or any other information that might be construed as infringing equality legislation. If the school operates a special class or unit, the application can seek information to ensure that the Applicant Student is eligible for admission to that special class or unit.

The Board should decide on a date on which the application forms are to be returned ie the closing date. The Board should also indicate the date on which consideration of applications will be made. No decision should be indicated to any Applicant prior to that date.

All applications should be treated in exactly the same manner. The application form should state the school's policy on the retention of this information.

### **Stage 3 – Enrolment decision**

The Board should meet at a time that allows the decision to be conveyed to Applicants prior to the 21 days elapsing.

The Board makes its decision exclusively on the basis of the information before it and strictly in line with the admissions policy in operation at that time, this is the same admissions policy that has been given to the Applicants.

If a lottery system is used to decide applications where there is oversubscription, the manner in which the lottery system takes place must have been agreed by the Board of Management and stated within the admissions policy to ensure transparency. In some cases Applicants are invited to attend the lottery as witnesses. Other schools choose to invite a person of good character, who does not have any direct connection with the school to draw the names, rather than having all Applicants present.

Unsuccessful Applicants should be advised of their right of appeal. They should also be advised of the ranking of the Applicant Student on a waiting list, if such a waiting list is applicable.

#### **Stage 4 – Registration**

Successful Applicants should be advised in writing of the offer of a place and should be asked to accept the place by completion of the Registration Form within a particular time frame. If the Board have not already provided a copy of the Code of Behaviour, this should be provided and it should be stated that acceptance of the Code of Behaviour forms part of the acceptance of the offered place.

In addition to the information which has already been provided through the application form, the Registration Form should seek

- contact numbers
- health information that the Applicants wish the school to be aware of
- information about special needs or learning difficulties so long as it is stated clearly that this information is sought in order to ensure inclusion so that the necessary resources can be applied for /put in place
- whether or not language support will be required
- where relevant, copies of court orders relating to guardianship or other relevant matters.
- information that is required for POD

## Template Admissions Policy

The following template may be used, but care must be taken to ensure that the Policy is adapted to your school's particular circumstances.

### 1. Introduction

- 1.1 This Admissions Policy (the '**Policy**') for **[insert school name]** (the '**School**') has been devised in accordance with the provisions of the Education Act 1998, the Education (Welfare) Act 2000, Equal Status legislation, the relevant sections of the Education (Admission to Schools) Act 2018, directives of the School's Patron and following consultation with the School community.
- 1.2 In this Policy, any reference to parents is to be taken as including reference to guardians, any reference to child is to be taken to include a child who has been adopted or fostered, any reference to siblings is to be taken as including reference to step siblings and foster siblings.

### 2. General Information

- 2.1 While recognising the rights of parents to enrol their child in a school of their choice, the Board of Management (the '**Board**') reserves the right to determine maximum school and class size capacity, in order to ensure the safety and educational needs of students.
- 2.2 In determining the level of admissions, the Board shall take account of Department of Education & Skills ('**DES**') regulations/circulars in relation to staffing, class size and pupil teacher ratios; health and safety requirements, including, for example, traffic restrictions; it shall also have regard to issues such as physical space, multi-grade classes, the presence of pupils with special educational and/or behavioural needs, the number of pupils expected to leave the school, the size of classrooms/play areas/school premises, the deployment of teachers and the resources of the School.

### 3. Notification of Intention to Apply Form

- 3.1 Those intending to apply for enrolment of a student in the School (the "**Intending Applicant**") should contact the School and request a copy of the Notification of Intention to Apply Form. Submission of the Notification of Intention to Apply Form does not offer any priority whatsoever to the Intending Applicant nor does it in any way guarantee a place for him/her either for the term and year requested nor for any other term or year.
- 3.2 If the intention is to seek to enrol a child in less than 21 days, an Application Form should be requested and there will have to be full compliance with this Policy in terms of the application.
- 3.3 Those who have returned a Notification of Intention to Apply Form will be sent an Application Form in the proposed year of proposed enrolment in the School.

### 4. Applications for Admissions

- 4.1 All applications for a place in the School shall be submitted to the School Principal on the approved Application Form. An Ethos statement and Code of Behaviour (if provided at this stage) will be furnished to each Applicant with a copy of the Application Form at the appropriate time, in advance of the Admissions Application period.
- 4.2 The application must be submitted during the Admissions Application period ie between 9.00 am on **[insert day and date]** and 3 pm on **[insert day and date]**.

- 4.3 The School will not accept applications in advance of 9.00 am on **[insert day and date]** or after 3 pm on **[insert day and date]**
- 4.4 The strict deadline for receipt of fully completed Applications form is 3 pm on **[insert date] (the ‘closing date’)**.
- 4.5 Only those Application Forms that have been completed in full, signed, dated, accompanied by relevant supporting documentation and submitted by the closing date will be considered by the Board. In order for an application to be considered, all required accompanying documentation must be provided prior to the closing date.
- 4.6 An Application Form must be accompanied by
- (i) A birth certificate for the student in respect to whom the application has been made (the “**Applicant Student**”)
  - (ii) Proof of address in the form of a utility bill in the Applicant’s name (or in one of the Applicant’s names where there is more than one Applicant), which must be dated no later than three months prior to the closing date
  - (iii) Statement confirming that the Applicant Student is a member of a minority religion, where applicable as outlined below
  - (iv) Evidence to support the statement that the Applicant Student is a member of a minority religion, where applicable, as outlined below.
- 4.7 It should be noted that submission of an Application Form does not confer a right to admission nor does it guarantee a place in the School.
- 4.8 Submitting inaccurate information on an Application Form or in accompanying documentation will render the application void ab initio. Where a place has been offered, this will result in the offer of the place being withdrawn, the place being reallocated and the Applicant Student being placed last on the waiting list.
- 4.9 Submission of the Application Form early in the Admissions Application period is not a factor in the allocation of places in the School. If an application is submitted prior to the Admissions Application Period, the application will not be considered by the Board.
- 4.10 Applicant Students, in respect of whom applications are made for junior infants, must have attained their 4<sup>th</sup> birthday (or older if applicable) no later than the first school day in the school year in respect of which the application for enrolment is made.

## **5. Consideration of the Applications**

- 5.1 The Board having considered the applications, will issue its decisions in writing within 21 days of the closing date.
- 5.2 Waiting lists for Applicant Students, only apply for the school year in respect of which the application for enrolment was made and do not carry forward to subsequent years.
- 5.3 Applicants who have been offered a place must inform the School, by completing and returning the admissions acceptance from within **[insert]** calendar days of being offered a place. Failure to do so within this timeframe will result in the place being forfeited and being reallocated.
- 5.4 Any contact with and/or lobbying of school personnel and/or board members regarding an application for admission will automatically disqualify the applicant and a place will not be offered.
- 5.5 The foregoing conditions are subject to internal review from time to time and may be changed pursuant to other factors including DES/Patron requirements, changes in legislation etc.

## 6. Priority

6.1 \_\_\_\_\_ National School is a Church of Ireland school. In the event that the number of applications exceeds the number of available places, the priority categories below, which are listed in order of priority, are used to determine the priority given to applications in the descending order outlined below from (a) to (d) , as follows:

- (a) **Priority Category 1:** An Applicant Student who is a member of the Church of Ireland or a Protestant reformed church or is a member of a minority religion which has the same religious ethos, or a similar religious ethos to the programme of religious instruction/education which is provided in the school<sup>10</sup> and who lives within the boundary of **[insert name of parish in which school is located)/lives within [insert] miles radius of the School/has access to the School Transport Scheme for the School [Delete as appropriate]**
- (b) **Priority Category 2:** An Applicant Student who is a member of the Church of Ireland, or a Protestant reformed church or is a member of a minority religion which has the same religious ethos, or a similar religious ethos to the programme of religious instruction/education which is provided in the school<sup>11</sup> and who lives within the boundary of **[insert names of other parishes customarily served by the school, where such parishes have no Church of Ireland/Protestant school of their own)/lives within [insert] miles and [insert ] miles radius of the School/has access to the School Transport Scheme for the School [Delete as appropriate]**
- (c) **Priority Category 3:** An Applicant Student who lives within **[insert]** miles radius of the School and who complies with the terms of this Policy
- (d) **Priority Category 4:** All other Applicant Students who comply with the terms of this Policy

In respect of Priority categories 1 and 2 above, the Applicant must provide the following documentation with the application form in order for the application to be complete, as the School must satisfy itself that the Applicant Student is a member of a minority religion and that it provides a programme of religious instruction or religious education which is of the same religious ethos as, or a similar religious ethos to, the religious ethos of the minority religion of the Applicant Student.

- (i) a statement from the Applicant confirming (i) that the Applicant Student is a member of a minority religion and (ii) that the Applicant wishes the Applicant Student to be educated in a school that provides a programme of religious instruction/education which is of the same religious ethos, or a similar religious ethos to, the religious ethos of the minority religion of the Applicant Student.

**and**

- (ii) evidence from the Applicant to support the statement that the Applicant Student is a member of the minority religion. This evidence will consist of:-
  - a letter from the relevant religious leader confirming, that the Applicant Student is a member of the minority religion or
  - the signature and stamp of the relevant Church leader on the application form confirming, that the Applicant Student is a member of the minority religion or
  - a baptismal record issued by the relevant minority religion which confirms that the Applicant Student has been baptised as a member of the minority religion.

<sup>10</sup> As defined in Section 7(A)(2) of the Equal Status Act

<sup>11</sup> As defined in Section 7(A)(2) of the Equal Status Act

It is to be noted that where oversubscription occurs in any one of the above priority categories, priority will be given within the priority category (and only in that priority category) to Applicant Students, who have siblings currently enrolled in the School (“Sibling Applicant Students”). Where the number of Sibling Applicant Students in such a priority category, exceeds the available number of places, the remaining places will be allocated to Sibling Applicant Students using a lottery system (give details of agreed method). Where the number of Sibling Applicant Students in such priority category does not exceed the number places available, the remaining places in this category will be allocated using a lottery system. (give details of agreed method).

Where the Applicant Students in a category are not successful in achieving a place, their names will be placed on a waiting list in the order in which such names were drawn in the category. Applicants will be informed of the Applicant Student’s place on the waiting list as it applies in the particular priority category.

## **7. Refusal to Enrol**

- 7.1 The School reserves the right to refuse enrolment where an Applicant does not comply with the terms of this Policy.
- 7.2 In exceptional circumstances, the School reserves the right to refuse enrolment where:
  - i. The Applicant Student has special needs such that, even with additional resources being made available from the DES/NCSE, the School cannot meet such needs and/or provide the Applicant Student with an appropriate education;
  - ii. The Applicant Student poses unacceptable risk(s) to other pupils, staff and/or school property.
- 7.3 Applicants refused under any of the above criteria will be advised of their right to appeal the Board’s decision as outlined below.

## **8. Appeals Procedure**

- 8.1 Applicants who are unhappy with an enrolment decision may appeal under Section 29 of the Education Act 1998 to the DES on the official Section 29 Appeal Application Form which can be downloaded from [www.education.ie](http://www.education.ie). This appeal must be submitted to the DES within 42 days of receipt of the decision of the Board to refuse enrolment.

## **9. Ratification and Review**

- 9.1 This Policy was ratified by the Board on [INSERT DATE] and follows guidelines issued by the Patron in respect of admissions.
- 9.2 This Enrolment Policy will be regularly reviewed by the Board.