



Rathdowney
Co Laois



POLICY FOR ADMISSION TO THE SPECIAL CLASS TO SCHOOL YEAR 2023/2024

St Fergal's College Post-Primary School

A decision on an application for admission will be based on the implementation of this Policy, the information set out in the annual Admission Notice of the school and the information provided by the applicant in the application for admission, once received before the closing date set out in the annual Admission Notice. The Principal of St Fergal's College is responsible for the implementation of this Admission Policy.

INTRODUCTION TO ST FERGAL'S COLLEGE

St Fergal's College is a co-educational, multi-denominational, multi-cultural post primary school, situated in the town of Rathdowney, Co Laois, and is under the patronage of the Laois and Offaly Education and Training Board (LOETB).

St. Fergal's College: Mission Statement

St. Fergal's College is a co-educational school which aims to provide a quality education for all our students in a caring and respectful environment.

We enable students to develop fully a sense of their own unique worth by providing a broadly based curriculum which fosters intellectual, spiritual, moral, emotional and physical growth.

We are committed to promoting good relationships between students, staff, parents and our community.

We aim to create a safe, healthy, learning environment that nurtures self-discipline and encourages our students to take responsibility for their own learning.

We aim to educate our students not only for now, but also for life.

The Board of Management of St Fergal's College manages the school and is a sub-committee of LOETB. The school has an enthusiastic teaching staff and dedicated general staff. It's Parents Association, known as the Parents Council, works with the school to build effective co-operation and partnership between home and school. The importance of the student voice in St Fergal's is formalised through the Student Council.

St Fergal's College offers a range of extra-curricular activities and events and is conscious of its place in the local community. It strives to forge and strengthen community links in its activities and its outreach.

Curriculum

The school offers Junior Cycle, Transition Year and Senior Cycle to its students. The specific details of each programme can be obtained from the school, but each is delivered to provide the broadest range of subject options possible.

Junior Cycle: students study six core subjects and take three subjects from option blocks. In addition, students engage in a portfolio of experiences under Wellbeing, as well as computer studies.

Transition Year Programme: This is a one-year optional programme available to pupils immediately after Junior Cycle. It engages students with traditional subject areas and challenges them to build confidence in new curricular areas.

Leaving Certificate Established: Students study three core subjects and take four subjects from option blocks. Students, may include the Leaving Certificate Vocational Programme (LCVP), a programme is designed to prepare students for working life, as one of their options. To provide a rounded education, the Leaving Certificate programme includes non-exam subjects and Career Guidance.

Leaving Certificate Applied: St Fergal's offers the Leaving Certificate Applied (LCA) programme. This is a self-contained two-year Leaving Certificate programme aimed at preparing students for adult and working life, focussing on the talents of each student and helping them apply what they learn to the real world.

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PART A

General Information for All Applicants

- 1. *Glossary of terms***
- 2. *Admission Statement***
- 3. *Legal Framework***
- 4. *General Admission Provisions (for all Applicants)***

‘Applicant’ means the parent / guardian of a student, or, in the case of a student who has reached the age of 18 years, the student, who has made an application for admission to St Fergal’s College.

‘Student’ means the person in respect of whom the application is being made. All uses of the word throughout this Policy therefore imply ‘prospective’ as part of the interpretation. That is, the use of the word ‘Student’ does not mean that an application or acceptance of offer makes him/her a student of St Fergal’s College; a person is only regarded as a student of St Fergal’s College once s/he is enrolled on his/her first day of attendance.

‘Enrolled’ means attending the school as a registered student, in line with section 20(2) of the Education (Welfare) Act 2000.

‘Gender’, in line with the definition of “*the gender ground*” in the Equal Status Act 2000, is such that “*one is male and the other is female*”. This does not prejudice any Student who is Intersex or identifies as Androgynous/Androgyne, Bigender, Demigender, Gender Fluid, Genderqueer, Multigender, Neutrois, Non-binary, Transgender, Transsexual or otherwise.

‘Catchment Area for the Special Class refers to the designated residential area for application to the Special Class within St Fergal’s College in respect of the person on whose behalf the application is being made. The catchment area for the Special Class within St Fergal’s College is defined as students living within 20km of the school.

‘Parent’ has the same meaning as in the Education Act 1998 and includes a foster parent and a guardian appointed under the Guardianship of Children Acts, 1964 to 1997.

‘Feeder Primary Schools’ refers to the primary schools of preference for application to St Fergal’s College. The feeder primary schools for St Fergal’s College are:

- 1.1. Scoil Brid, Rathdowney, Co Laois;
- 1.2. St Colmcille’s National School, Errill, Co Laois;
- 1.3. Clough National School, Ballacolla, Portlaoise, Co Laois;
- 1.4. St Pius X National School, Ballacolla, Portlaoise, Co Laois;

- 1.5. Killadooley National School, Killadooley, Borris-in-Ossory, Portlaoise, Co Laois;
- 1.6. Scoil Tíghearnach Naofa, Cullohill, Rathdowney, Co Laois;
- 1.7. St Joseph's National School, Borris-in-Ossory, Portlaoise, Co Laois;
- 1.8. Gaelscoil Shlí, Dála, An Bealach Mór (Ballaghmore), Co Laoise (Co Laois);
- 1.9. Galmoy National School, Galmoy (via Thurles), Co Kilkenny;
- 1.10. Clonmore National School, Clonmore, Templemore, Co Tipperary;
- 1.11. Pike of Rushall NS, Pike-of-Rushall, Portlaoise, Co Laois;
- 1.12. Our Lady's Meadow National School, Durrow, Co Laois.

For the purpose of the selection criterion relating to the student having a sibling who previously attended the school, '**Sibling**' refers to full siblings, half-siblings, foster-siblings and step-siblings.

For the purpose of the selection criterion relating to the student having a sibling currently enrolled in the school, '**Sibling**' refers to full siblings, half-siblings, foster-siblings, step-siblings and Students who reside in the same household.

Note: the wider definition of sibling in the second of the two paragraphs immediately above is for the purpose of facilitating families who are required to do more than one drop-off and/or collection to/from the school.

'Special Class' means a class that has, with the approval of the Minister of Education, been established by a school to provide an education exclusively for Students with a category or categories of special educational needs specified by the Minister of Education. St. Fergal's College has a Special Class, established to cater for special educational needs of Students with Autism/Autistic Spectrum Disorders.

'Relevant Report', as advised by the Department of Education and the National Council for Special Education (NCSE), means a written report based on an assessment by a relevant professional who makes a recommendation for a Special Class placement. The relevant professional may include an educational psychologist, psychologist, other relevant health professionals, HSE disability services or HSE multi-disciplinary team staff, in line with guidance issued by the NCSE on this point.

'First-Year' means the intake group of students for the most junior class or year in a school.

2 ADMISSION STATEMENT

ETB schools are state, co-educational, multi-denominational schools underpinned by the core values of:

- Excellence in Education;
- Care;
- Equality;
- Community and
- Respect.



As the state provider of education, the ETB sector defines a ‘multi-denominational’ school in the following way:

In ETB schools, all students are given equal opportunities for enrolment in line with the Education (Admissions to School) Act 2018. Once enrolled, our schools strive to provide all students with equal opportunities to engage with the curriculum and school life. In all aspects of school life all members of our school communities are treated equitably regardless of their race, gender, religion/belief, age, family status, civil status, membership of the Traveller community, sexual orientation, ability or socio-economic status.

Our schools provide a safe physical and social environment that reinforces a sense of belonging to the school community and wider society. They strive to enable every student to realise their full potential regardless of any aspect of their identity or background. Our schools promote a fully inclusive education that recognises the plurality of identities, beliefs and values held by students, parents and staff. We prepare open-minded, culturally sensitive and responsible citizens with a strong sense of shared values.

In ETB schools, students of all religions and beliefs are treated equally. The school environment and activities do not privilege any particular group over another whilst at the same time acknowledging and facilitating students of all religions and beliefs.

Accordingly, St Fergal's College shall not discriminate in its admission of a student based on the following grounds:

- 2.1. Gender of the Student or Applicant. However, where a school admits Students of one gender only, it is not discriminatory to refuse to admit students not of that gender;
- 2.2. Civil status of the Student or Applicant;
- 2.3. Family status of the Student or Applicant;
- 2.4. Sexual orientation of the Student or Applicant;
- 2.5. Religion of the Student or Applicant;
- 2.6. Disability of the Student or Applicant;
- 2.7. Race of the Student or Applicant;
- 2.8. The Student's or Applicant's membership of the Traveller community;
- 2.9. Special educational needs of the Student or Applicant. However, where the school provides education exclusively for a category or categories of special educational need(s) in a Special Class, it is not discriminatory to refuse to admit to that class a Student who does not have the specified special educational need(s).

St Fergal's College shall not charge fees or payments or seek contributions as a condition of admission or continued enrolment of a student.

3 LEGAL FRAMEWORK

LOETB was established under the Education and Training Board Act 2013 which sets out the functions of all ETBs, including to establish and maintain recognised schools, centres for education and education and training facilities in each ETB's functional area.

The board of management of St Fergal's College is a committee established under section 44 of the Education and Training Board Act 2013 and also constitutes a board of management within the meaning of the Education Act 1998.

The Education (Admission to Schools) Act 2018 and the Education (Welfare) Act 2000 place a duty on all recognised schools to prepare and publish an Admission Policy.

The Education Act, 1998 provides for an appeal process in the event of a refusal to admit a Student. The appeal process is set out in section 5.2 in respect of applications made to the First-Year Group and in section 6.2 in respect of applications made to all years other than the First-Year Group.

It is important to understand that our school does not provide 'religious instruction' and therefore the legal requirement to advise of the option to opt-out of religious instruction does not arise in this school. It is also important to understand the distinction between '*religious instruction*' and '*religious education*':

- *Religious instruction* is a term used in Ireland to indicate instruction in accordance with the rites, practices and teachings of a **particular** religion or denomination for pupils of that religious tradition.
- *Religious education* is open to all pupils regardless of their commitment to any particular religion or worldview. It seeks to contribute to the spiritual and moral development of all students equally.

As ETB schools are 'multi-denominational', St. Fergal's College supports the provision of *religious education* that caters for all students regardless of their religious or non-religious beliefs.

St. Fergal's College will cooperate with the National Council for Special Education in the performance by the Council of its functions under the Education for Persons with Special Educational Needs Act 2004 relating to the provision of education to children with special educational needs, including in particular by the provision and operation of a special class or classes when requested to do so by the Council.

St. Fergal's College will comply with any direction served on the patron or the board, as the case may be, under section 37A and any direction served on the board under section 67(4B) of the Education Act.

4 GENERAL ADMISSION PROVISIONS

A decision on an application for admission shall be based on:

- the implementation of this Admission Policy,
- the annual Admission Notice of the school, and the
- information provided by the applicant in the application for admission.

If, prior to the commencement of section 62 of the Education Act 1998 by the Education (Admission to Schools) Act 2018 on the 1st February 2020, St Fergal's College had confirmed, in writing, that an applicant had been placed on a list relating to the allocation of school places for entrance before the 1st February 2025, then this confirmation is still valid and the applicant will be offered that place.

In processing an application St Fergal's College **shall not consider:**

- 4.1 The payment of fees or contributions to the school;
- 4.2 A student's academic ability, skills or aptitude; unless:
 - it is necessary to ascertain whether or not the Student has the category of special educational needs concerned for admission to a school approved by the Minister of Education providing education exclusively to Students with a specified category of special educational needs or a special class;
- 4.3 The occupation, financial status, academic ability, skills or aptitude of a student's Parent(s);
- 4.4 A requirement that a student or his or her Parent(s), attend an interview, open day or other meeting as a condition of admission;
- 4.5 A student's connection to the school due to a member of his or her family attending or having previously attended the school, unless the connection is a sibling of the Student concerned attending, or having attended, the school, or a parent or grandparent having previously attended the school. However, the maximum number of places filled by this criterion does not exceed 25% of the available places as set out in the school's Admission Notice for that academic year.

4.6 The date and time on which an application for admission was received by the school as long as it is received during the period specified for receiving applications set out in the annual Admission Notice for that academic year.

St Fergal's College **will consider** the offer of a place to every student seeking admission to the school, **unless the following applies:**

- 4.7 The Parent fails to confirm in writing that s/he accepts the student Code of Behaviour and he/she shall make all reasonable efforts to ensure compliance with such code by the student;
- 4.8 The Student seeking admission to a Special Class in the school does not have the category of special educational needs specified by the Minister of Education in respect of that class.

Where St Fergal's College considers an application, each student shall receive a place, unless the school is oversubscribed, in which case, selection criteria will be applied to each application.

Section 7 of this Policy addresses the selection criteria and other matters related to the admission provisions for the Special Class.

Our School has a duty of care to ensure as far as practicable, the health and safety of the students and staff of the school. An application for admission may be refused, therefore, where the admission of the applicant would pose a significant risk to the health and safety of the applicant or students and staff of the school, or risk significantly interfering with the right of other students to an appropriate education as required by the 1998 Education Act, 15.1."

Education Act 1998

15.—(1) It shall be the duty of a board to manage the school on behalf of the patron and for the benefit of the students and their parents and to provide or cause to be provided an appropriate education for each student at the school for which that board has responsibility.

SECTION 7

APPLICATION TO THE SPECIAL CLASS

7 APPLICATION TO THE SPECIAL CLASS

7.1. Admission Provisions for the Special Class

- 7.1.1. Oversubscription
- 7.1.2. Selection criteria in order of priority
- 7.1.3. Selection process
- 7.1.4. Late Applications
- 7.1.5. Second/third-round offers of a place
- 7.1.6. Acceptance of a place
- 7.1.7. Refusal
- 7.1.8. Withdrawal of an offer

7.2. Appeals

- 7.2.1. Appeal where refusal was due to oversubscription
- 7.2.2. Appeal where refusal was for a reason other than oversubscription
- 7.2.3. Basis for a review by the board of management

7.1. ADMISSION PROVISIONS FOR THE SPECIAL CLASS

St. Fergal's College has a Special Class, established to cater for the special educational needs of Students with Autism/Autistic Spectrum Disorders.

Only applications in respect of Students whose needs fall within the category of special educational needs provided for by the Special Class will be considered. In this respect, the school requires that such needs of the Student be verified in a Relevant Report which has been prepared within the 24 months immediately preceding the Student's application to the Special Class.

Where the Special Class in St. Fergal's College is not oversubscribed, all Students whose needs fall within the category of special educational needs provided for by the Special Class, as confirmed by the NCSE, will be offered a place in the Special Class, subject to sections 4.7 and 4.8.

7.1.1. Oversubscription:

When the number of applications exceeds the number of places available, the published selection criteria as set out at section 7.1.2 below will apply and a waiting list shall be compiled which shall remain valid only for the school year in respect of which the applications are made. Where St. Fergal's College is in a position to offer further places that become available in the Special Class for and during that academic year, places will be offered in accordance with the order of priority in which Students have been placed on the waiting list subject to there being a place in the relevant mainstream year group.

If there is not a place available in the relevant year group, the next person on the waiting list for the Special Class will be considered for the place in question but this will not change the initial Student's place on the waiting list for the Special Class for the remainder of that school year, *i.e.* if another place subsequently became available in the Special Class during that school year, the initial Student at the top of the waiting list would be considered first, but again subject to there being a place in the relevant year group for that Student.

For clarity, even if a place becomes available in a given mainstream year group, if there is a waiting list for that year group, the Students on that list have first refusal at the place in the year group irrespective of any matters relating to the Special Class.

Where an application is made on behalf of a Student for both the Special Class and a mainstream year group, and his/her application for one but not both is successful, s/he will remain in the same position on the waiting list for the group to which s/he was not successful, regardless of whether the Applicant accepts the place in the group to which the Student was successful.

For the avoidance of doubt, if a Student does not receive a place in the Special Class for a given academic year, but s/he wishes to be considered for admission to Special Class in the following academic year, a new application must be made on behalf of that Student during the dates specified by the school as being the period when it will accept applications for the Special Class.

Where the school is oversubscribed, any selection criteria that are not included in this Admission Policy shall not be considered in determining whether or not a Student is admitted to the school.

7.1.2. Selection criteria in order of priority:

Applications to the Special Class will only be considered if the Student's needs fall within the specified category of special educational needs provided for by this class. Subject to this requirement, in the event of oversubscription, the following criteria for admission to the Special Class will apply:

7.1.2.1 If the student has siblings currently enrolled or siblings that have previously attended the school.

7.1.2.2 Whether the student attended a feeder primary school or resides in the catchment area.

7.1.2.3 The greatest level of need, as determined by the Principal in consultation with the SEN team in the school, having considered the Relevant Report in respect of the Child.

Selection process:

St. Fergal's College will apply the selection process as follows:

[Having met the criteria for admission to the Special Class, applications are considered against the published selection criteria. Places will be offered in the first instance to those who meet the first criterion. Subsequently, where the school still has places available the remaining Applicants are considered against the second criterion and those Applicants who meet this criterion will be offered a place within the Special Class. This process is continuously carried out until all available places have been offered and accepted.

Where two or more applications are tied in the foregoing selection process, St. Fergal's College will apply a random lottery to assign any available places in the Special Class, or on the waiting list, to those applications.]

7.1.3. Late applications:

An application received by St. Fergal's College after the closing date published by St. Fergal's College, and set out in the Admission Notice, is considered a late application for the purposes of this Admission Policy.

Where St. Fergal's College is oversubscribed and receives a late application for admission, that application will receive a place on the waiting list beneath Applicants whose applications were received by the school before the closing date for applications. Such late applications will be placed on the waiting list in accordance with the date and time they were received by the school, subject to sections 4.7 and 4.8.

Where St. Fergal's College is not oversubscribed and it receives a late application, the Student seeking admission will receive an offer of a place within St. Fergal's College, subject to sections 4.7, 4.8 and the same process as applies to Applicants whose applications were received before the closing date will be applied *i.e.* an Acceptance Form will be issued to the Applicant for completion and return to the school within 2 weeks of issue.

7.1.4. Second/third-round offers of a place

Where a Student is in receipt of an offer of a place within St. Fergal's College but does not accept the offer, or the school withdraws the offer in line with the relevant provisions of this Policy, the place will be offered to the next Student on the waiting list in a second-round of

offers. This process will continue throughout third and fourth rounds *etc.* until all places within the Special Class have been filled.

7.1.5. Acceptance of a place:

If the Student in respect of whom the application is made is offered a place, the Applicant will be issued with an Acceptance Form by the school.

The Applicant shall indicate acceptance of an offer by fully completing and returning the Acceptance Form by the date set out in the School Admission Notice, or within 2 weeks of issuing by the school if it is a late application or if it is a second/third-round offer. This includes indicating whether or not s/he has applied for and is awaiting confirmation of an offer of admission from another school.

Failure to fully complete and return the Acceptance Form to the school by the date set out in the school's Admission Notice, or within 2 weeks of issuing by the school if it is a late application or if it is a second/third-round offer, may result in withdrawal of an offer, in line with the grounds for withdrawal of an offer, as set out below.

7.1.6. Refusal:

Where a Student in respect of whom an application is being sought has not been offered a school place, the Applicant will be provided in writing with:

- 7.1.7.1 The reasons that the Student was not offered a place in St. Fergal's College;
- 7.1.7.2 Details of the Student's ranking against the published selection criteria, if the year group to which the applicant is applying is oversubscribed;
- 7.1.7.3 Details of the Student's place on the waiting list, if applicable; and
- 7.1.7.4 Details of the Applicant's right to appeal the decision

In addition to the conditions for consideration of an application as set out at 4.7 and 4.8 an offer of admission may not be made where:

- 7.1.7.5 The information contained in the application is false or misleading in a material respect.

7.1.7. Withdrawal of an offer

An offer of admission may be withdrawn where:

- 7.1.8.1 The information contained in the application is false or misleading in a material respect, or
- 7.1.8.2 The Applicant fails to confirm acceptance of an offer of admission on or before the date set out in the annual Admission Notice of the school for the academic year for which s/he is applying, or in the case of a late application, or second/third-round offer, within 2 weeks, or
- 7.1.8.3 An Applicant has not indicated:
 - (i) whether or not s/he has applied for and is awaiting confirmation of an offer from another school(s) and if so, the details of the school(s);
and
 - (ii) whether or not s/he has accepted an offer of admission from another school(s) and if so, the details of the offer(s).

If an offer of a place is withdrawn by the school, the Student on whose behalf the application was made shall lose his/her place on the admission list or waiting list for that academic year and any subsequent applications for the same academic year on behalf of that Student shall be treated as a late application in line with section 7.1.4 above.

7.2. APPEALS

7.2.1. Appeal where refusal was due to oversubscription:

An Applicant who was refused admission because the school is oversubscribed and who wishes to appeal this decision must first request a review by the board of management in writing, via a 'BOMR1 Form', available from the school office and on the school's website, for it to be reviewed by the board of management of St. Fergal's College. Such a review must be sought by the Applicant within twenty-one calendar days of the school's decision to refuse to admit. However, if a different time period for the bringing of such an appeal is specified by the Minister for Education after the publication of this Policy, same shall apply instead. Completed BOMR1 Forms should be submitted to the school office or online by emailing admin@stfc.ie.

If an Applicant is not satisfied with the decision of the board of management, or the board of management is not in a position to review the decision to refuse admission, the Applicant may apply to bring an appeal to an Appeals Committee established by the Minister for Education under section 29A of the Education Act 1998. Appeals must be made in writing on a 'Section 29 Appeal Form' and must be submitted to the Section 29 Appeals Administration Unit in the Department of Education. The 'Section 29 Appeal Form' may be downloaded from the Department's website or may be obtained directly from the Section 29 Appeals Administration Unit in the Department of Education. Contact details for the Unit are available on the Department's website. As per the Department of Education's '*Procedures for hearing and determining appeals under section 29*', such an appeal must not be brought until the Applicant has received correspondence from the board of management in relation to the review, or until 42 calendar days have passed since the date of initial refusal and may not be brought later than 63 calendar days after the initial decision to refuse admission.

7.2.2. Appeal where refusal was for a reason other than oversubscription:

An Applicant who was refused admission to St. Fergal's College for a reason other than the school being oversubscribed and who wishes to appeal this decision may first choose to

request a review by the board of management, via a 'BOMR1 Form', available from the school office and on the school's website, for it to be reviewed by the board of management of St. Fergal's College. Such a review must be sought by the Applicant within twenty-one calendar days of the school's decision to refuse to admit. However, if a different time period for the bringing of such an appeal is specified by the Minister for Education after the publication of this Policy, same shall apply instead. Completed BOMR1 Forms should be submitted to the school office or online by emailing admin@stfc.ie. (An applicant may withdraw a request for review at any time prior to the conclusion of the review by notifying the board of management in writing to that effect.)

Alternatively, s/he may choose to apply to bring an appeal to an Appeals Committee established by the Minister for Education under section 29A of the Education Act 1998. Appeals must be made in writing on a 'Section 29 Appeal Form' and must be submitted to the Section 29 Appeals Administration Unit in the Department of Education. The 'Section 29 Appeal Form' may be downloaded from the Department's website or may be obtained directly from the Section 29 Appeals Administration Unit in the Department of Education. Contact details for the Unit are available on the Department's website. As per the Department of Education's *'Procedures for hearing and determining appeals under section 29'*, such an appeal may not be brought later than 63 calendar days after the initial decision to refuse admission.

If an Applicant who seeks a review by the board of management is not satisfied with the decision of the board of management, that Applicant may also apply to bring an appeal to an Appeals Committee established by the Minister for Education under section 29A of the Education Act 1998, as outlined in the immediately preceding paragraph.

7.2.3. Basis for a review by the board of management:

As required by section 29C(2) of the Education Act 1998, any request for the board of management to review a decision of the school to refuse admission must be based on the implementation of this Admission Policy, the content of the school's Admission Notice and also set out the grounds of the request to review the decision.