# POLICY FOR ADMISSION TO SCHOOL YEAR 2027/2028

## Nenagh Community National 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 Nenagh CNS is responsible for the implementation of this Admission Policy.

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# Introduction to Nenagh Community National School

Nenagh Community National School was established in August 2022.

The transition of St. Mary's Junior Boys' National School to a co-educational Community National School catering for children up to 6th class is another milestone moment for a pioneering school which has always had an ethos of always putting children front and centre of everything it does. St. Mary's Junior Boys' National School has had a unique place in the history of education in Nenagh; the thousands of boys who walked through its doors and experienced a very special caring environment over its 108 years bears testimony to that.

Now, however, it's all about what's ahead and the move to a Community National School secures not just a bright future for the school itself but for the children of Nenagh who will benefit from the town's and the county's only multi-denominational co-educational English-speaking school. This move restates the emphasis this special place has on being a caring and respectful school and the pride we have in our roots in the town of Nenagh, our heritage and our bright future.

We are a pioneering school, a school of 'firsts', a school that has never been afraid to make big decisions and take on new challenges as long as they are right for our pupils and right for our community. Our school stood up and was counted when not just Nenagh, but the wider North-Tipperary area and beyond needed a special speech and language class many years ago. Today that same and very special Speech and Language class 'Chatty Kids' is delighted to welcome pupils from all over North Tipperary, from Nenagh, Roscrea Templemore and Thurles and is especially proud of this co-ed offering for boys and girls.

We were also the first school in the area to identify and respond to the needs of children with autism to have their own classroom where they could grow, flourish and reach their full potential. For many years we have been pioneers in this area, welcoming girls and boys into our Sonas special early intervention ASD classes; another moment when the junior boys responded to a need of its community.

The decision to open a multi-denominational Community National school in Nenagh is following in that vein – the school again in pioneering mode as it paves the way for an inclusive and diverse educational facility in the town of Nenagh.

This will be the first Community National School to open in Nenagh and the largest school to divest to ETB patronage in the country. We are deeply honoured to be chosen as the pilot school for transition to Community National School in Tipperary and are fully committed to continuing this wonderful legacy as a centre of learning and development and one that is always willing to respond to the educational needs of our children, our town and our community.

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# PART A

## *General Information for All Applicants*

1. ***Glossary of terms***
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3. ***Legal Framework***
4. ***General Admission Provisions (for all Applicants)***
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# 1. GLOSSARY OF TERMS

'**Applicant'** means the parent / guardian of a Child who has made an application for admission to Nenagh CNS.

'**Child'/ 'Student'** means the person in respect of whom the application is being made.

'**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 Child who is Intersex or identifies as Androgynous/Androgyne, Bigender, Demigender, Gender Fluid, Genderqueer, Multigender, Neutrois, Non-binary, Transgender, Transsexual or otherwise.

'**Catchment Area'** refers to the designated residential area for application to all classes other than the Special Class in Nenagh CNS in respect of the person on whose behalf the application is being made. The catchment area for Nenagh CNS is defined as: residing in Nenagh and its immediate environs.

'**Catchment Area for the Special Classes'** refers to the designated residential area for application to the Special Classes within Nenagh CNS in respect of the person on whose behalf the application is being made. The catchment area for the Special Classes within Nenagh CNS is defined as: residing in Nenagh and its immediate environs.

'**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.

**'Early Start Pre-Schools'** refer to the 40 classes established in some designated disadvantaged schools through the form of a one-year intervention scheme for children between the ages of 3 years and 5 years, who are at risk of not reaching their full potential within the school system. The early start classes are offered in the September prior to the Child starting Junior Infants and are designated in a list published by the Minister for Education and Skills. Participation in the 'Free Pre-School' year through the ECCE scheme or an independent pre-school/creche does not qualify as participation in an Early Start Pre-School Class.

**'Early Intervention Classes'** refer to special education classes established in schools which are available for children aged 3 years – 5 years with autism spectrum disorder (ASD). A small number of Early Intervention Classes are available for children who are deaf/hard of hearing and children with physical disabilities. Nenagh CNS has 2 such classes.

'**Special Class'** means a class that has, with the approval of the Minister of Education and Skills, 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 and Skills. Nenagh CNS has 1 Special Class, established to cater for special educational needs of Students with Specific Speech and Language Disorder.

**'Relevant Report',** as advised by the Department of Education and Skills 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.

**'Junior Infants'** means the intake group of Students for the most junior class in a school but does not include the Early Start Pre-Schools/Early Intervention Classes or any crèche or pre-school groups facilitated on site.

## 2. ADMISSION STATEMENT




ETB schools are state, multidenominational, co-educational 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 'multidenominational' 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 Nenagh CNS shall not discriminate in its admission of a Child based on the following grounds:

2.1. Gender of the Child or Applicant.

2.2. Civil status of the Applicant;

2.3. Family status of the Child or Applicant;

2.4. Sexual orientation of the Child or Applicant;

2.5. Religion of the Child or Applicant;

2.6. Disability of the Child or Applicant;

2.7. Race of the Child or Applicant;

2.8. The Child's or Applicant's membership of the Traveller community;

2.9. Special educational needs of the Child 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 Child who does not have the specified special educational need(s).

Nenagh CNS shall not charge fees or payments or seek contributions as a condition of admission or continued enrolment of a Child.

# 3. LEGAL FRAMEWORK

Tipperary ETB 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 Nenagh CNS 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 enrol. The appeal process is set out in section 5.2 in respect of applications made to the Junior Infant group and in section 6.2 in respect of applications made to all classes other than the Junior Infant group.

Section 62(7)(n) of the Education Act 1998 requires each school to set out in its Admission Policy the arrangements it has in place where a parent requests their child to opt-out of religious instruction. Community National Schools do not provide religious instruction within the school day, the need to make alternative arrangements does not arise.

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. Community National Schools deliver a 'multi-belief and values education' curriculum called 'Goodness Me! Goodness You!' (GMGY). This curriculum is designed to cater for children of all religions and beliefs attending the school.

Nenagh CNS 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.

Nenagh CNS will comply with any direction served on the patron 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, Nenagh CNS 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 Nenagh CNS **shall not consider**:

4.1 The payment of fees or contributions to the school;

4.2 A Child's academic ability, skills or aptitude; unless:

- it is necessary to ascertain whether or not the Child has the category of special educational needs concerned for admission to a school approved by the Minister of Education and Skills 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 Child's Parent(s);

4.4 A Child's prior attendance at a pre-school or pre-school service, other than in relation to a Child's prior attendance at an Early Intervention class or an Early Start Pre-School, which classes and schools are specified in a list published by the Minister.

4.5 A requirement that a Child or his or her Parent(s), attend an interview, open day or other meetings as a condition of admission;

4.6 A Child'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 Child concerned attending, or having attended, the school,

4.7 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 admissions notice for that academic year.

**Nenagh CNS will consider** the offer of a place to every Child seeking admission to the school, **<u>unless</u> the following applies**:

4.8 The Parent fails to confirm in writing that s/he accepts the Student Code of Behaviour and shall make all reasonable efforts to ensure compliance with such code by the Child if the Child becomes a Student in the school;

4.9 The Child seeking admission to a Special Class in the school does not have the category of special educational needs specified by the Minister of Education and Skills in respect of that class or has not attained a place in the class relevant to that Child.

Where Nenagh CNS considers an application, each Child shall receive a place, unless the school is oversubscribed, in which case, selection criteria will be applied to each application.

Section 5 of this Policy addresses the selection criteria and other matters related to the admission provisions for the Junior Infant Group.

Section 6 of this Policy addresses the selection criteria and other matters related to the admission provisions for all classes other than Junior Infants.

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

# PART B

## *Information for Specific Categories of Applicants*

5. ***Application to the Junior Infant Group***
6. ***Application to All Classes Other Than Junior Infants***
7. ***Application to the Special Classes***

# SECTION 5
# APPLICATION TO THE JUNIOR INFANT GROUP

## 5. APPLICATION TO THE JUNIOR INFANT GROUP

### 5.1 Admission Provisions (Junior Infant Group)

5.1.1. Oversubscription

5.1.2. Selection criteria in order of priority

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5.2.3. Basis for a review by the board of management

## 5.1 ADMISSION PROVISIONS (JUNIOR INFANT GROUP)

Where Nenagh CNS is not oversubscribed, all Children will be offered a school place, subject to sections 4.8 and 4.9.

A Child applying for the Junior Infant Group but seeking admission to the Special Class should see section 7 of this Admissions Policy. If the Child is also applying for a place in the mainstream Junior Infant Group in the event of an unsuccessful application to the Special Class, this section 5 is also applicable.

### 5.1.1 Oversubscription

When the number of applications exceeds the number of places available, the published selection criteria as set out at section 5.1.2 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 Nenagh CNS is in a position to offer further school places that become available for and during that academic year, places will be offered in accordance with the order of priority in which Children have been placed on the waiting list.

For the avoidance of doubt, if a Child does not receive a place in the school for a given academic year, but s/he wishes to be considered for admission to the same class group in the following academic year, a new application must be made on behalf of that Child during the dates specified by the school as being the period when it will accept applications to all classes other than the Junior Infants Group.

Where an application is made on behalf of a Child for both the Special Class and a mainstream class 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 that was offered.

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 Child is admitted to the school.

### 5.1.2 Selection criteria in order of priority

Nenagh CNS will apply the following criteria for admission to the Junior Infant Group:

5.1.2.1 If the Child has siblings currently enrolled in the school;

5.1.2.2 If the Child has siblings who were previously enrolled in the school and/or St Mary's Junior Boys' NS;

5.1.2.3 The age of the Child where priority is given to older Children;

5.1.2.4 If a parent/guardian of the Child is a member of staff of the school;

5.1.2.5 If the Child resides in the Catchment area.

Note: See section 7 for selection criteria applicable to admission to the Special Class.

### 5.1.3 Selection process

Nenagh CNS will apply the selection process as follows:

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 in light of the second criterion and those Applicants who meet this criterion will be offered a place within the school. This process is continuously carried out against all selection criteria until all available places have been offered and accepted.

Where two or more applications are tied in the foregoing selection process, CNS Nenagh will apply a random lottery to assign any available places in the school, or on the waiting list, to those applications.

N.B. The number of places available in a mainstream class group is subject to reduction in the event that a placement(s) in the Special Class is/are given to Student(s) from that mainstream class group, *i.e.* the selection process for the Special Class will be completed before the selection process for the mainstream class group and the number of Students who are offered a place in the Special Class will be the number by which the places in the relevant mainstream class group(s) are reduced[1].

[1] This approach is based on section 2 of the Education for Persons with Special Educational Needs (EPSEN) Act 2004, which requires that: "*A child with special educational needs shall be educated in an inclusive*

### 5.1.2 Late applications

An application received by Nenagh CNS after the closing date published by the school, and set out in the Admission Notice, is considered a late application for the purposes of this Admission Policy.

Where Nenagh CNS 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, irrespective of any selection criteria which may been applied to applications received 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 4.8 and 4.9. For the avoidance of doubt, selection criteria are not relevant to, and will not be applied to, late applications.

Where Nenagh CNS is not oversubscribed, i.e. there is no waiting list, and it receives a late application, the Child seeking admission will receive an offer of a place within the school, subject to sections 4.8 and 4.9 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.

### 5.1.4 Second/third-round offers of a place

Where a Child is in receipt of an offer of a place within Nenagh CNS 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 Child 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 school have been filled.

### 5.1.5 Acceptance of a place

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

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*environment with children who do not have such needs unless the nature or degree of those needs of the child is such that to do so would be inconsistent with the best interests of the child as determined in accordance with any assessment carried out …. or the effective provision of education for children with whom the child is to be educated.*"

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 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.

### 5.1.6 Refusal

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

5.1.7.1. The reasons that the Child was not a offered a place in Nenagh CNS;
5.1.7.2. Details of the Child's ranking against the published selection criteria, if the class-group to which the Applicant is applying is oversubscribed;
5.1.7.3. Details of the Child's place on the waiting list, if applicable; and
5.1.7.4. Details of the Applicant's right to appeal the decision.

In addition to the conditions for consideration of an application as set out at 4.8 and 4.9, an offer of admission may not be made where:

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

### 5.1.7 Withdrawal of an offer

An offer of admission may be withdrawn where:

5.1.8.1. The information contained in the application is false or misleading in a material respect, or
5.1.8.2. 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

5.1.8.3. 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 or 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 Child on whose behalf the application was made shall lose his/her place for that academic year and shall not be placed on a waiting list. If the Applicant still desires a place for that academic year, a new application must be made for the same academic year on behalf of that Child and shall be treated as a late application in line with section 5.1.4 above.

## 5.2 APPEALS

### 5.2.1. 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 Nenagh CNS. Such a review must be sought by the Applicant within twenty-one calendar days of receipt by the Applicant 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 nenaghcns@tipperaryetb.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.

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

An Applicant who was refused admission to Nenagh CNS 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 Nenagh CNS. Such a review must be sought by the Applicant within fourteen calendar days of receipt by the Applicant 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 nenaghcns@tipperaryetb.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.

### 5.2.3. 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.

# SECTION 6
# APPLICATION TO ALL CLASSES OTHER THAN JUNIOR INFANTS

## 6 APPLICATION TO ALL CLASSES OTHER THAN JUNIOR INFANTS

### 6.1 Admission Provisions (other than Junior Infants)

6.1.1. Oversubscription
6.1.2. Selection criteria in order of priority
6.1.3. Selection process
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### 6.2 Appeals

6.2.1. Appeal where refusal was due to oversubscription
6.2.2. Appeal where refusal was for a reason other than oversubscription
6.2.3. Basis for a review by the board of management

## 6.1 ADMISSION PROVISIONS (OTHER THAN JUNIOR INFANTS)

Where Nenagh CNS is not oversubscribed, all Children will be offered a school place, subject to sections 4.8 and 4.9

A Child applying for admission to a class other than Junior Infants but seeking admission to the Special Class should see section 7 of this Admissions Policy. If the Child is also applying for a place in the mainstream class in the event of an unsuccessful application to the Special Class, this section 6 is also applicable.

### 6.1.1 Oversubscription

When the number of applications exceeds the number of places available, the published selection criteria as set out at section 6.1.2 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 Nenagh CNS is in a position to offer further school places that become available for and during that academic year, places will be offered in accordance with the order of priority in which Children have been placed on the waiting list.

For the avoidance of doubt, if a Child does not receive a place in the school for a given academic year, but s/he wishes to be considered for admission to the same class group in the following academic year, a new application must be made on behalf of that Child during the dates specified by the school as being the period when it will accept applications to all classes other than the Junior Infants Group.

Where an application is made on behalf of a Child for both the Special Class and a mainstream class 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 that was offered

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 Child is admitted to the school.

### 6.1.2 Selection criteria in order of priority

Nenagh CNS will apply the following criteria for admission to all classes other than Junior Infants:

6.1.2.1 If the Child has siblings currently enrolled in the school;

6.1.2.2 If the Child has siblings who were previously enrolled in the school and/or St Mary's Junior Boys' NS;

6.1.2.3 If a parent/guardian of the Child is a member of staff of the school;

6.1.2.4 If the Child resides in the Catchment Area.

See section 7 for selection criteria applicable to admission to the Special Class.

Any selection criteria that are not included in this Admission Policy shall not be considered in determining whether or not an Applicant is admitted.

### 6.1.3 Selection process

Nenagh CNS will apply the selection process as follows:

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 in light of the second criterion and those Applicants who meet this criterion will be offered a place within the school. This process is continuously carried out against all selection criteria until all available places have been offered and accepted.

Where two or more applications are tied in the foregoing selection process, Nenagh CNS will apply a random lottery to assign any available places in the school, or on the waiting list, to those applications.

N.B. The number of places available in a mainstream class group is subject to reduction in the event that a placement(s) in the Special Class is/are given to Student(s) from that mainstream class group, *i.e.* the selection process for the Special Class will be completed before the selection process for the mainstream class group and the number of Students

who are offered a place in the Special Class will be the number by which the places in the relevant mainstream class group(s) are reduced[2].

### 6.1.4 Late applications:

An application received by Nenagh CNS after the closing date published by the school, and set out in the Admission Notice, is considered a late application for the purposes of this Admission Policy.

Where Nenagh CNS 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, irrespective of any selection criteria which may been applied to applications received 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 4.8 and 4.9. For the avoidance of doubt, selection criteria are not relevant to, and will not be applied to, late applications.

Where Nenagh CNS is not oversubscribed, i.e. there is no waiting list, and it receives a late application, the Child seeking admission will receive an offer of a place within the school, subject to sections 4.8 and 4.9 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.

### 6.1.5 Second/third-round offers of a place

Where a Child is in receipt of an offer of a place within Nenagh CNS 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 Child 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 school have been filled.

[2] This approach is based on section 2 of the Education for Persons with Special Educational Needs (EPSEN) Act 2004, which requires that: "*A child with special educational needs shall be educated in an inclusive environment with children who do not have such needs unless the nature or degree of those needs of the child is such that to do so would be inconsistent with the best interests of the child as determined in accordance with any assessment carried out …. or the effective provision of education for children with whom the child is to be educated.*"

### 6.1.4 Acceptance of a place:

If the Child 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'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. 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.

### 6.1.6 Refusal:

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

6.1.7.1. The reasons that the Child was not a offered a place in Nenagh CNS;
6.1.7.2. Details of the Child's ranking against the published selection criteria, if the class-group to which the Applicant is applying is oversubscribed;
6.1.7.3. Details of the Child's place on the waiting list, if applicable; and
6.1.7.4. Details of the Applicant's right to appeal the decision.

In addition to the conditions for consideration of an application as set out at 4.8 and 4.9, an offer of admission may not be made where:

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

### 6.1.7 Withdrawal of an offer

An offer of admission may be withdrawn where:

6.1.8.1. The information contained in the application is false or misleading in a material respect, or

6.1.8.2. 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

6.1.8.3. 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 or 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 Child on whose behalf the application was made shall lose his/her place for that academic year and will not be placed on a waiting list. If the Applicant still desires a place for that academic year, a new application must be made for the same academic year on behalf of that Child and shall be treated as a late application in line with section 6.1.4 above.

## 6.2 APPEALS

### 6.2.1. 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 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 Nenagh CNS. Such a review must be sought by the Applicant within twenty-one calendar days of receipt by the Applicant 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 Admission Policy, same shall apply instead. Completed BOMR1 Forms should be submitted to the school office or online by emailing nenaghcns@tipperaryetb.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.

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

An Applicant who was refused admission to Nenagh CNS 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 Nenagh CNS. Such a review must be sought by the Applicant within twenty-one calendar days of receipt by the Applicant 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 nenaghcns@tipperaryetb.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.

### 6.2.3. 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.

# SECTION 7

# APPLICATION TO THE SPECIAL CLASSES

## Application to the Special Classes

### 7.1 Admission Provisions for the Special Classes

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 CLASSES

Nenagh CNS has 3 Special Classes, established to cater for the special educational needs of Students with Autism/Autistic Spectrum Disorders and Specific Speech and Language Impairment.

Only applications in respect of Children 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 12 months immediately preceding the Student's application to the Special Class.

Where the Special Class in Nenagh CNS is not oversubscribed, all Children whose needs fall within the category of special educational needs provided for by the Special Class will be offered a place in the Special Class, subject to section 4.8.

Further information is available in our Admissions Procedure document available on our website and from the school office.

### 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 Nenagh CNS is in a position to offer further school 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 Children have been placed on the waiting list.

Where an application is made on behalf of a Child 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 that was offered.

For the avoidance of doubt, if a Child does not receive a place in the Special Class for a given academic year, but s/he wishes to be considered for admission to the Special Class

in the following academic year, a new application must be made on behalf of that Child during the dates specified by the school as being the period when it will accept for the Special Class.

If a transfer Student is offered a place in the Special Class from the waiting list, the offer is subject to there being a place available in the relevant mainstream class group for that Student. If there is not a place available in the relevant mainstream class 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 mainstream class group for that Student.

For clarity, even if a place becomes available in a given mainstream class group, if there is a waiting list for that mainstream class group, the Students on that list have first refusal at the place in the mainstream class group irrespective of any matters relating to 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 Child 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 Child'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 Child resides in the Catchment Area for the Special Classes;

**7.1.2.2** The age of the Child where priority is given to older children;

**7.1.2.3** If a parent/guardian of the Child is a member of staff of the school; and

**7.1.2.4** The greatest level of educational need, as determined by the Principal in consultation with the NCSE and/or NEPS, having considered the Relevant Report in respect of the Student.

### 7.1.3 Selection process:

Nenagh CNS 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 against all selection criteria until all available places have been offered and accepted.

Where two or more applications are tied in the foregoing selection process, Nenagh CNS will apply a random lottery to assign any available places in the Special Class, or on the waiting list, to those applications.

N.B. The number of places available in a year group is subject to reduction in the event that a placement(s) in the Special Class is/are given to Student(s) from that year group, i.e. the selection process for the Special Class will be completed before the selection process for the mainstream year group and the number of Students who are offered a place in the Special Class will be the number by which the places in the relevant mainstream year group(s) are reduced.[3]

### 7.1.4 Late applications:

An application received by Nenagh CNS after the closing date published by the school, and set out in the Admission Notice, is considered a late application for the purposes of this Admission Policy.

[3] This approach is based on section 2 of the Education for Persons with Special Educational Needs (EPSEN) Act 2004, which requires that: "*A child with special educational needs shall be educated in an inclusive environment with children who do not have such needs unless the nature or degree of those needs of the child is such that to do so would be inconsistent with the best interests of the child as determined in accordance with any assessment carried out …. or the effective provision of education for children with whom the child is to be educated.*"

Where Nenagh CNS 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 irrespective of any selection criteria which may been applied to applications received 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 4.8 and 4.9. For the avoidance of doubt, selection criteria are not relevant to, and will not be applied to, late applications.

Where Nenagh CNS is not oversubscribed, i.e. there is no waiting list, and it receives a late application, the Child seeking admission will receive an offer of a place within the school, subject to sections 4.8 and 4.9 the same process as applies to Applicants whose applications were received before the closing date will be operated *i.e.* an Acceptance Form will be issued to the Applicant for completion and return to the school within 2 weeks of issue.

### 7.1.5 Second/third-round offers of a place

Where a Child is in receipt of an offer of a place within Nenagh CNS 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 Child 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.

### 7.1.6 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'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. 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.

### 7.1.7 **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 a offered a place in Nenagh CNS.

7.1.7.2 Details of the Student's ranking against the published selection criteria, if the class-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 4.8 and 4.9, 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.

### 7.1.8 **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 or 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 Child on whose behalf the application was made shall lose his/her place for that academic year (and shall not be placed on a waiting list). If the Applicant still desires a place for that academic year, a new application must be made for the same academic year on behalf of that Child and 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 Nenagh CNS. Such a review must be sought by the Applicant within twenty-one calendar days of receipt by the Applicant 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 nenaghcns@tipperaryetb.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 Nenagh CNS 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 Nenagh CNS. Such a review must be sought by the Applicant within twenty-one calendar days of receipt by the Applicant 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 nenaghcns@tipperaryetb.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.