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Bord Oideachais agus  
Oiliúna Chorcaí  
*Cork Education and  
Training Board*

## **POLICY FOR ADMISSION TO SCHOOL YEAR 2021/2022**

### **Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne 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 Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne is responsible for the implementation of this Admission Policy.

# **INTRODUCTION TO TERENCE MACSWINEY COMMUNITY COLLEGE/GAELCHOLÁISTE MHIC SHUIBHNE**

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Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne, hereafter referred to as TMS/GMS, is a co-educational post-primary school under the remit of the Cork Education and Training Board, CETB. Our aim is to ensure that every student entrusted to our care is given the best opportunity to fulfil their potential, both academically and individually. This aim is reflected in our Mission Statement, which is “to foster learning and to guide and nurture all of our students in a caring environment”. This Mission Statement was agreed on by the Board of Management, staff, students and parents and we are committed to fulfilling it in a spirit of collaboration and partnership with all members of our school and local community.

TMS/GMS is an inclusive school that is dedicated to a high-quality educational experience for all learners. Over the last decade, we have invested heavily in providing excellent ICT resources to ensure that all students can realise their full potential, experience success and acquire the skills of independent learning. We intend to provide education for a technologically-focused generation in a contemporary learning environment.

Our caring dedicated and skilled staff achieve an excellent balance between challenging our students academically whilst ensuring that they nurture their holistic development as well. The support structures for our students ensure that they receive the encouragement and mentoring that they need to achieve. Our latest WSE referenced to very positive achievements evident in the context of the personal and social development of students as learners.

In the last five years, the school has encouraged students to explore their creativity through a variety of mediums, video, music, drawing and photography. This development has had a positive impact on student confidence and wellbeing. The college corridors reflect the students’ expression of their talents through drawing and photography. An annual showcase of the students’ creative work provides the local community with the opportunity to view and celebrate it. Students have entered and been selected for film festivals for their video work. This emphasis on creativity and

expression has also been reflected in the high quality of the musical theatre productions which are staged annually.

The decision to open an Aonad Lán Gaeilge was in response to local need and interest. Staff were enthusiastic in their support for this development and committed to intensive upskilling for two years at University College Cork. The support, guidance and encouragement of the Department of Modern Irish, U.C.C., proved invaluable in this process as did the support from An Chomhairle Oideachas Gaeltachta agus Gaelscolaíochta (COGG). Considerable planning has been invested in establishing the role of the Máthairscoil, curricular policy and other essential prerequisites for a successful Irish Medium school. Interest in and love of Irish language and culture has been fostered throughout the entire school community as evidenced in the successful achievement of the Gaelbhrathach in May 2019. The new Aonad has had a very positive start and won an award for creative computing in its first year. Their teacher and mentor also won an award for Educator of the Year. The success of the new Aonad has relied greatly on the support of external bodies, the tireless enthusiasm of the Co-ordinating teacher, staff investment and CETB and ETBI, via their Educational Policy and Development Officer. Most importantly, student satisfaction and parental approval is very high.

**Mission Statement:**

Our Mission is to foster learning and to guide and nurture all of our students in a caring environment.

# **TABLE OF CONTENTS**

## ***PART A – General Information for All Applicants***

1. Glossary of terms
2. Admission Statement
3. Legal Framework
4. General Admission Provisions

## ***PART B - Information for Specific Categories of Applicants***

5. Application to the First-Year Group
6. Application to All Year Groups Other Than First-Year
7. Application to Special Classes

# **PART A**

## ***General Information for All Applicants***

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

## 1 GLOSSARY OF TERMS

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**‘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 TMS/GMS.

**‘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 the application for him/her has been accepted such that s/he is regarded as a Student of TMS/GMS by virtue of application alone.

**‘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.]

**‘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.

**‘Aonad Lán-Gaeilge’** offers partial instruction through Irish in a designated number of subjects to a cohort of Students within the school.

**‘First-Year’** means the intake group of Students for the most junior class or year in a school.

**‘Catchment Area’** refers to the designated residential area for application to TMS/GMS in respect of the person on whose behalf the application is being made. The catchment area for TMS/GMS is the city North West Region.

**‘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 additional educational needs specified by the Minister of Education and Skills. TMS/GMS has a Special Class, established to cater for additional educational needs of Students with Autism/Autistic Spectrum Disorders.

Terence MacSwiney Community College is a designated Community College. Designated Community Colleges are established by the signing of a model agreement between an ETB and the local Catholic Bishop and/or a religious congregation. Cork ETB is the patron of the school. The model agreement provides for the participation of Bishop of Cork and Ross in the organisation and management of the community college on an ongoing basis.

Terence MacSwiney Community College was established in 1980 in a spirit of partnership between Cork ETB and the Bishop of Cork and Ross. Gaelcholáiste Mhic Shuibhne opened in 2019 to cater for students who wished to pursue their education through the medium of Irish. The school was developed on a greenfield site. The inherited traditions, values and founding intentions of Cork ETB and the Bishop of Cork and Ross remain enshrined in the characteristic spirit and in the life of our school.

Our school is a state, co-educational, multi-denominational school underpinned by the core values of:

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



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

Our school, Terence MacSwiney Community College and Gaelcholáiste Mhic Shuibhne, provides a safe physical and social environment that reinforces a sense of belonging to the school community and wider society. We strive to enable every student to realise their full potential regardless of any aspect of their identity or background. Our school promotes a fully inclusive education which 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.

Our school is multi-denominational. We welcome, respect and support students of all religions and beliefs. The provision of religious education, religious worship and the work of the Chaplain all combine to reflect the founding intention of the school, the school's mission statement and the needs of the students within the school. The characteristic spirit of the school finds practical expression through the provision of pastoral, liturgical and social outreach activities, as appropriate, for each student.

## **Appendix 2 – Recommended Statement on Opting-Out of Religious Instruction**

Terence MacSwiney Community College and Gaelcholáiste Mhic Shuibhne school offers *religious education* in all year groups as it promotes the holistic development of students and can contribute positively to their wellbeing in line with the principles of the Junior Cycle and Senior Cycle Frameworks and the model agreement. It facilitates the intellectual, social, emotional, spiritual values and moral development of students and encourages respect for all members of our school communities. In addition, *religious education* supports the 'multi-denominational' aspect of our school's ethos as it provides opportunities for students to engage with questions around their own religious or nonreligious beliefs and those of their peers.

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’, Terence MacSwiney Community College and Gaelcholáiste Mhic Shuibhne supports the provision of *religious education* that caters for all students regardless of their religious or non-religious beliefs.

Parents, or students over the age of 18, who wish to opt-out of *religious education* must make a written submission to the principal in the first instance. The submission should outline reasons why the opt-out is being requested. The principal will then arrange to meet with the parent(s) or student over the age of 18 to discuss the request. If after that meeting the parent or student over the age of 18 still wishes to opt out of *religious education*, the school will facilitate this in the following way:

***Students opting out of religious education will be offered a Philosophy class.***

### **3 LEGAL FRAMEWORK**

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Cork 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 TMS/GMS 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 5.3 in respect of applications made to the First-Year Group and in section 6.3 in respect of applications made to all years other than the First-Year 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, or student over 18 years of age, requests that the student opt-out of religious instruction.

## **4 GENERAL ADMISSION PROVISIONS**

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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 1<sup>st</sup> February 2020, TMS/GMS had confirmed, in writing, that an Applicant had been placed on a list relating to the allocation of school places for entrance before the 1<sup>st</sup> February 2025, then this confirmation is still valid and the Applicant will be offered that place.

In processing an application TMS/GMS **shall not consider:**

- 4.1 The payment of fees or contributions to the school;
- 4.2 A Student's academic ability, skills or aptitude;
- 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.
- 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.

**TMS/GMS 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 additional educational needs specified by the Minister of Education and Skills in respect of that class.
- 4.9 Where TMS/GMS 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 5** of this Policy addresses the selection criteria and other matters related to the admission provisions for the First-Year Group.

**Section 6** of this Policy addresses the selection criteria and other matters related to the admission provisions for all year groups other than First Year.

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

# **PART B**

## ***Information for Specific Categories of Applicants***

- 5. Application to the First-Year Group***
- 6. Application to All Year Groups Other Than First Year***
- 7. Application to Special Classes***

# SECTION 5

## APPLICATION TO THE FIRST-YEAR GROUP

### **5 APPLICATION TO THE FIRST-YEAR GROUP**

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#### **5.1 Admission Provisions (First-Year Group)**

- 5.1.1. Oversubscription
- 5.1.2. Selection criteria in order of priority
- 5.1.3. Selection process
- 5.1.4. Late Applications
- 5.1.5. Second/third-round offers of a place
- 5.1.6. Acceptance of a place
- 5.1.7. Refusal
- 5.1.8. Withdrawal of an offer
- 5.1.9. Appeals

#### **5.2 Admission Provisions to the Aonad Lán Gaeilge (First-Year Group)**

- 5.2.1. Oversubscription
- 5.2.2. Selection criteria in order of priority
- 5.2.3. Selection process
- 5.2.4. Late Applications
- 5.2.5. Second/third-round offers of a place
- 5.2.6. Acceptance of a place
- 5.2.7. Refusal
- 5.2.8. Withdrawal of an offer
- 5.2.9. Appeals

#### **5.3 Appeals**

- 5.3.1. Appeal where refusal was due to oversubscription
- 5.3.2. Appeal where refusal was for a reason other than oversubscription
- 5.3.3. Basis for appeal

## **5.1 ADMISSION PROVISIONS (FIRST YEAR GROUP)**

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Where TMS/GMS is not oversubscribed, all Students will be offered a school place, subject to section 4.7.

### **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 TMS/GMS 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 Students have been placed on the waiting list.

For the avoidance of doubt, if a Student 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 year group 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 to all year groups other than First-Year.

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.

### **5.1.2 Selection Criteria in order of priority**

TMS/GMS will apply the following criteria for admission to the First Year Group:

- 5.1.2.1 Siblings of students who are already attending the school or who previously attended the school;
- 5.1.2.2 Students whose parent previously attended the school ;
- 5.1.2.3 Students who are children of a current member of the staff of the school;

#### 5.1.2.4 Students from the school catchment area;



Web Link to detailed map of City North West Quadrant: [School Catchment Area](#)

#### 5.1.2.5 All other applicants.

### 5.1.3 **Selection Process**

TMS/GMS 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 until all available places have been offered and accepted

Where two or more applications have met the same number of selection criteria and are tied for a place, TMS/GMS will apply a random lottery to assign any available places in the school, or on the waiting list, to those applications.

The Lottery will be carried out as follows:

In the instance where the number of applicants for a place exceeds the number of places in the school the following process should apply. The Board of Management will oversee this process. The allocation of places will be conducted at a Board of Management meeting, in the presence of an independent observer.

1. Applications will be divided into categories based on the criteria for allocation of places stated in the policy.
2. Starting with category Number 1, places will be offered to applicants. Where there are sufficient places to offer all applicants who qualify under category Number 1 a place, this will be done and the process of offering places will move on to criterion number 2.
3. The process outlined above will be repeated for the subsequent categories until the process reaches a category where the remaining number of places available is less than the number of applicants within this category.
4. Where the remaining number of available places is less than the total number of applicants within a category, the remaining places will be offered by means of a lottery involving all the applicants within this category.
5. When all available places have been allocated, the remaining applicants within the category will be placed on a waiting list in rank order based on the lottery.
6. The process of placing applicants on the waiting list in rank order will then be repeated for each subsequent category until all unsuccessful applicants have been allocated a place on the waiting list.
7. The waiting list will be recorded on school headed paper and the record will be signed in the presence of the Board of Management by the Chairperson of the Board of Management and the independent observer.



#### **5.1.4 Late applications**

An application received by TMS/GMS 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 TMS/GMS 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 and subsequently the school's selection criteria will be applied in accordance with this Admission Policy.

Where TMS/GMS is not oversubscribed and it receives a late application, the Student seeking admission will receive an offer of a place within the school, subject to sections 4.7 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.

#### **5.1.5 Second/third-round offers of a place**

Where a Student is in receipt of an offer of a place within TMS/GMS 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 school have been filled.

#### **5.1.6 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.

#### **5.1.7 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:

- 5.1.7.1. The reasons that the Student was not offered a place in TMS/GMS;
- 5.1.7.2. Details of the Student's ranking against the published selection criteria, if the year-group to which the Applicant is applying is oversubscribed;
- 5.1.7.3. Details of the Student'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 4.7, 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.

#### **5.1.8 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 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 5.1.4 above.

#### **5.1.9 Appeals**

For information relating to an Applicant's right to appeal a decision of TMS/GMS regarding admission to the First-Year Group, see section 5.3.

**A Student applying for the First Year Group but seeking admission to the Special Class should see section 7 of this Admission Policy.**

## **5.2. ADMISSION TO THE AONAD LÁN GAEILGE**

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TMS/GMS operates an Aonad Lán Gaeilge, which caters for Students who wish to be educated in an Irish-medium post primary setting. Applications made *only* for the Aonad Gaeilge will be considered solely for that purpose.

Where the Aonad Lán Gaeilge in TMS/GMS is not oversubscribed, all Students who seek admission therein will be offered a place in the Aonad Lán Gaeilge, subject to sections 4.7.

### **5.2.1 Oversubscription:**

When the number of applications exceeds the number of places available, the published selection criteria as set out at section 5.2.2 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 TMS/GMS 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 Students have been placed on the waiting list.

For the avoidance of doubt, if a Student 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 year group 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 made to all years other than the First-Year Group.

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.

**5.2.2 Selection criteria in order of priority:**

Applications to the Aonad Lán Gaeilge will only be considered where the Aonad Lán Gaeilge was indicated on the application form provided to TMS/GMS by the Applicant.

TMS/GMS will apply the following criteria for admission to the Aonad Lán Gaeilge where the Aonad Lán Gaeilge is oversubscribed:

- 5.2.2.1 Siblings of students who are already attending the school or who previously attended the school;
- 5.2.2.2 Students whose parent previously attended the school;
- 5.2.2.3 Students who are children of a current member of the staff of the school;
- 5.2.2.4 Students from the school catchment area (See 5.1.2.4);
- 5.2.2.5 All other applicants.

### **5.2.3 Selection process:**

TMS/GMS will apply the selection process as follows:

Having met the criteria for admission to the Aonad Gaeilge, an Applicant will be offered a place in TMS/GMS based on the number of the published selection criterion met by him/her *i.e.* an Applicant who meets three of the specified application criteria will be given priority over an Applicant who meets two of the specified application criteria.

Where two or more applications have met the same number of selection criteria and are tied for a place, TMS/GMS will apply a random lottery to assign any available places in the school, or on the waiting list, to those applications.

In the instance where the number of applicants for a place exceeds the number of places in the school the following process should apply. The Board of Management will oversee this process. The allocation of places will be conducted at a Board of Management meeting, in the presence of an independent observer.

1. Applications will be divided into categories based on the criteria for allocation of places stated in the policy.
2. Starting with category Number 1, places will be offered to applicants. Where there are sufficient places to offer all applicants who qualify under category Number 1 a place, this will be done and the process of offering places will move on to criterion number 2.
3. The process outlined above will be repeated for the subsequent categories until the process reaches a category where the remaining number of places available is less than the number of applicants within this category.
4. Where the remaining number of available places is less than the total number of applicants within a category, the remaining places will be offered by means of a lottery involving all the applicants within this category.

5. When all available places have been allocated, the remaining applicants within the category will be placed on a waiting list in rank order based on the lottery.
6. The process of placing applicants on the waiting list in rank order will then be repeated for each subsequent category until all unsuccessful applicants have been allocated a place on the waiting list.
7. The waiting list will be recorded on school headed paper and the record will be signed in the presence of the Board of Management by the Chairperson of the Board of Management and the independent observer.

#### **5.2.4 Late applications:**

An application received by TMS/GMS after the closing date published by TMS/GMS, and set out in the Admission Notice, will be considered a late application for the purposes of this Admission Policy.

Where Gaelcholáiste Mhic Shuibhne 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 and subsequently the school's selection criteria will be applied in accordance with this Admission Policy.

Where TMS/GMS is not oversubscribed and it receives a late application, the Student seeking admission will receive an offer of a place within TMS/GMS, subject to sections 4.7, 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.

#### **5.2.5 Second/third-round offers of a place:**

Where a Student is in receipt of an offer of a place within TMS/GMS 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 school have been filled.

#### **5.2.6 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 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.

#### **5.2.7 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:

- 5.2.7.1 The reasons that the Student was not offered a place in TMS/GMS
- 5.2.7.2 Details of the Student's ranking against the published selection criteria, if the year-group to which the applicant is applying is oversubscribed,
- 5.2.7.3 Details of the Student's place on the waiting list, if applicable, and
- 5.2.7.4 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, an offer of admission may not be made where:

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

### **5.2.8 Withdrawal of an offer**

An offer of admission may be withdrawn where:

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

5.2.8.2. 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

5.2.8.3 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 5.2.4 above.

### **5.2.9 Appeals:**

For information relating to an Applicant's right to appeal a decision of TMS/GMS regarding admission to the Aonad Lán Gaeilge in the First-Year Group, see section 5.3.

**A Student applying for the First Year Group in the Aonad Lán Gaeilge but seeking admission to the Special Class should see section 7 of this Admission Policy.**



## 5.3 APPEALS

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### **5.3.1. 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 submit his/her appeal in writing, via a Section 29 Appeal Application Form, available from the school office and on the school's website, for it to be reviewed by the board of management of TMS/GMS at Hollyhill, Knocknaheeny, Cork, Fax Number: 021 4301108, email: [tmscc@tms.corketb.ie](mailto:tmscc@tms.corketb.ie) or [info@gctms.ie](mailto:info@gctms.ie) Such an appeal must be brought within fourteen calendar days of receipt by the Applicant of the school's decision to refuse to admit.

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

An Applicant who was refused admission to TMS/GMS for a reason other than the school being oversubscribed and who wishes to appeal this decision may choose to put his/her appeal in writing, via a Section 29 Appeal Application Form, available from the school office and on the school's website, for it to be reviewed by the board of management of TMS/GMS. Such an appeal must be brought within fourteen calendar days of receipt by the Applicant of the school's decision to refuse to admit.

Where an applicant has been refused admission due to a reason other than the school being oversubscribed, the applicant may request a review of that decision by the Board of Management prior to making an appeal under Section 29 of the Education Act 1998.

Alternatively, s/he may choose to apply to bring an appeal to an appeals committee established by the Minister for Education and Skills under section 29A of the Education Act 1998.

If an Applicant who chooses to appeal to the board of management is not satisfied with the decision of the board of management, the Applicant may also apply to bring an

appeal to an appeals committee established by the Minister for Education and Skills under section 29A of the Education Act 1998.

**5.3.3. Basis for appeal:**

As required by section 29C (2) of the Education Act 1998, an application to appeal 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 appeal the decision.

**Note:** Where an applicant has been refused admission due to the school being oversubscribed, the applicant **must request a review** of that decision by the Board of Management prior to making an appeal under Section 29 of the Education Act 1998.

Where an applicant has been refused admission due to a reason other than the school being oversubscribed, the applicant **may request a review** of that decision by the Board of Management prior to making an appeal under Section 29 of the Education Act 1998.

# **SECTION 6**

## **APPLICATION TO ALL YEAR GROUPS OTHER THAN FIRST-YEAR**

### **6 APPLICATION TO ALL YEAR GROUPS OTHER THAN FIRST-YEAR**

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#### **6.1 Admission Provisions (other than First-Year)**

- 6.1.1. Oversubscription
- 6.1.2. Selection criteria in order of priority
- 6.1.3. Selection process
- 6.1.4. Late Applications
- 6.1.5. Second/third-round offers of a place
- 6.1.6. Acceptance of a place
- 6.1.7. Refusal
- 6.1.8. Withdrawal of an offer
- 6.1.9. Appeals

#### **6.2 Admission Provisions to the Aonad Lán Gaeilge (other than First-Year)**

- 6.2.1. Oversubscription
- 6.2.2. Selection criteria in order of priority
- 6.2.3. Selection process
- 6.2.4. Late Applications
- 6.2.5. Second/third-round offers of a place
- 6.2.6. Acceptance of a place
- 6.2.7. Refusal
- 6.2.8. Withdrawal of an offer
- 6.2.9. Appeals

#### **6.3 Appeals**

- 6.3.1. Appeal where refusal was due to oversubscription
- 6.3.2. Appeal where refusal was for a reason other than oversubscription
- 6.3.3. Basis for appeal

## **6.1 ADMISSION PROVISIONS (OTHER THAN FIRST-YEAR)**

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Where TMS/GMS is not oversubscribed, all Students will be offered a school place, subject to sections 4.7. TMS/GMS may also refuse an application on the following:

- The student is already registered in another post primary school and he/she has been excluded for disciplinary reasons.
- An offer of a place may have a negative impact/outcome on students already enrolled in the school.

### **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 TMS/GMS 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 Students have been placed on the waiting list.

For the avoidance of doubt, if a Student 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 year group 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 to all years other than the First Year Group.

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.

### **6.1.2 Selection criteria in order of priority**

TMS/GMS will apply the following criteria for admission to a year-group other than First-Year:

- 6.1.2.1 Siblings of students who are already attending the school or who previously attended the school;
- 6.1.2.2 Students whose parent previously attended the school ;
- 6.1.2.3 Students who are children of a current member of the staff of TMS/GMS;
- 6.1.2.4 Students from the school catchment area (See 5.1.2.4);
- 6.1.2.5 All other applicants

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**

TMS/GMS will apply the selection process as follows:

An Applicant will be offered a place in TMS/GMS based on the number of the published selection criterion met by him/her *i.e.* an Applicant who meets three of the specified application criteria will be given priority over an Applicant who meets two of the specified application criteria.

Where two or more applications have met the same number of selection criteria and are tied for a place, TMS/GMS will apply a random lottery to assign any available places in the school, or on the waiting list, to those applications.

In the instance where the number of applicants for a place exceeds the number of places in the school the following process should apply. The Board of Management will oversee this process. The allocation of places will be conducted at a Board of Management meeting, in the presence of an independent observer.

1. Applications will be divided into categories based on the criteria for allocation of places stated in the policy.

2. Starting with category Number 1, places will be offered to applicants. Where there are sufficient places to offer all applicants who qualify under category Number 1 a place, this will be done and the process of offering places will move on to criterion number 2.
3. The process outlined above will be repeated for the subsequent categories until the process reaches a category where the remaining number of places available is less than the number of applicants within this category.
4. Where the remaining number of available places is less than the total number of applicants within a category, the remaining places will be offered by means of a lottery involving all the applicants within this category.
5. When all available places have been allocated, the remaining applicants within the category will be placed on a waiting list in rank order based on the lottery.
6. The process of placing applicants on the waiting list in rank order will then be repeated for each subsequent category until all unsuccessful applicants have been allocated a place on the waiting list.
7. The waiting list will be recorded on school headed paper and the record will be signed in the presence of the Board of Management by the Chairperson of the Board of Management and the independent observer.

#### **6.1.4 Late applications:**

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

Where TMS/GMS 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 and subsequently the school's selection criteria will be applied in accordance with this Admission Policy.

Where TMS/GMS is not oversubscribed and it receives a late application, the Student seeking admission will receive an offer of a place within TMS/GMS, subject to sections 4.7, 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 Student is in receipt of an offer of a place within TMS/GMS 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 school have been filled.

#### **6.1.6 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 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.

#### **6.1.7 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:

- 6.1.7.1. The reasons that the Student was not offered a place in TMS/GMS,
- 6.1.7.2. Details of the Student's ranking against the published selection criteria, if the year-group to which the Applicant is applying is oversubscribed,
- 6.1.7.3. Details of the Student'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 4.7 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.

#### **6.1.8 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 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 6.1.4 above.

**6.1.9 Appeals:**

For information relating to an Applicant's right to appeal a decision of TMS/GMS regarding admission to a year-group other than First-Year, see section 6.3.

**A Student applying to all year groups other than first year but seeking admission to the Special Class should see section 7 of this Admission Policy.**

## **6.2 ADMISSION PROVISIONS FOR THE AONAD LÁN GAEILGE (OTHER THAN FIRST-YEAR)**

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Aonad Lán Gaeilge offers partial instruction through Irish in a designated number of subjects to a cohort of Students within the school. Applications made ONLY for the Aonad Lán Gaeilge will be considered solely for that option

Where the Aonad Lán Gaeilge in TMS/GMS is not oversubscribed, all Students who seek admission therein will be offered a place in the Aonad Lán Gaeilge, subject to sections 4.7.

### **6.2.1 Oversubscription:**

When the number of applications exceeds the number of places available, the published selection criteria as set out at section 6.2.2 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 TMS/GMS 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 Students have been placed on the waiting list.

For the avoidance of doubt, if a Student 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 year group 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 made to all years other than the First-Year Group.

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.

### **6.2.2 Selection criteria in order of priority:**

Applications to the Aonad Lán Gaeilge will only be considered where the Aonad Lán Gaeilge was indicated on the application form provided to TMS/GMS by the Applicant.

TMS/GMS will apply the following criteria for admission to the Aonad Lán Gaeilge where the Aonad Lán Gaeilge is oversubscribed:

- 6.2.2.1 The Student has attained a level of fluency in the Irish language and said fluency would be likely to regress were s/he not admitted to the Aonad. Applicants are required to provide such evidence as they consider appropriate to demonstrate the Student's level of fluency in the Irish language and how same would regress if the student were not admitted to the school;
- 6.2.2.2 Siblings of students who are already attending or who previously attended the school;
- 6.2.2.3 Students whose parent previously attended the school;
- 6.2.2.4 Students who are children of a current member of the staff of TMS/GMS;
- 6.2.2.5 Students from the school catchment area (See 5.1.2.4);
- 6.2.2.6 All other applicants

### **6.2.3 Selection process:**

TMS/GMS will apply the selection process as follows:

Having met the criteria for admission to the Aonad Gaeilge, an Applicant will be offered a place in TMS/GMS based on the number of the published selection criterion met by him/her *i.e.* an Applicant who meets three of the specified application criteria will be given priority over an Applicant who meets two of the specified application criteria.

Where two or more applications have met the same number of selection criteria and are tied for a place, TMS/GMS will apply a random lottery to assign any available places in the school, or on the waiting list, to those applications.

In the instance where the number of applicants for a place exceeds the number of places in the school the following process should apply. The Board of Management will oversee this process. The allocation of places will be conducted at a Board of Management meeting, in the presence of an independent observer.

1. Applications will be divided into categories based on the criteria for allocation of places stated in the policy.
2. Starting with category Number 1, places will be offered to applicants. Where there are sufficient places to offer all applicants who qualify under category Number 1 a place, this will be done and the process of offering places will move on to criterion number 2.
3. The process outlined above will be repeated for the subsequent categories until the process reaches a category where the remaining number of places available is less than the number of applicants within this category.
4. Where the remaining number of available places is less than the total number of applicants within a category, the remaining places will be offered by means of a lottery involving all the applicants within this category.
5. When all available places have been allocated, the remaining applicants within the category will be placed on a waiting list in rank order based on the lottery.
6. The process of placing applicants on the waiting list in rank order will then be repeated for each subsequent category until all unsuccessful applicants have been allocated a place on the waiting list.
7. The waiting list will be recorded on school headed paper and the record will be signed in the presence of the Board of Management by the Chairperson of the Board of Management and the independent observer.

#### **6.2.4 Late Applications**

An application received by TMS/GMS after the closing date published by TMS/GMS, and set out in the Admission Notice, will be considered a late application for the purposes of this Admission Policy.

Where TMS/GMS 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 and subsequently the school's selection criteria will be applied in accordance with this Admission Policy.

Where TMS/GMS is not oversubscribed and it receives a late application, the Student seeking admission will receive an offer of a place within TMS/GMS, subject to sections 4.7 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.

#### **6.2.5 Second/third-round offers of a place**

Where a Student is in receipt of an offer of a place within TMS/GMS 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 school have been filled.

#### **6.2.6 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 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.

### **6.2.7 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:

- 6.2.7.1. The reasons that the Student was not offered a place in TMS/GMS;
- 6.2.7.2. Details of the Student's ranking against the published selection criteria, if the year-group to which the Applicant is applying is oversubscribed;
- 6.2.7.3. Details of the Student's place on the waiting list, if applicable; and
- 6.2.7.4. 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, an offer of admission may not be made where:

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

### **6.2.8 Withdrawal of an offer**

An offer of admission may be withdrawn where:

- 6.2.8.1. The information contained in the application is false or misleading in a material respect, or
- 6.2.8.2. 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
- 6.2.8.3. In the case of a late application, or second/third-round offer, the Applicant fails to confirm acceptance of an offer of admission within 2 weeks, or
- 6.2.8.4. 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 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 6.2.4 above.

### **6.2.9 Appeals**

For information relating to an Applicant's right to appeal a decision of TMS/GMS regarding admission to the Aonad Lán Gaeilge in all years other than the First-Year Group, see section 6.3.

**A Student applying to all year groups in the Aonad Lán Gaeilge other than first year but seeking admission to the Special Class should see section 7 of this Admission Policy.**

## **6.2 APPEALS**

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### **6.3.1. 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 submit his/her appeal in writing, via a Section 29 Appeal Application Form, available from the school office and on the school's website, for it to be reviewed by the Board of Management of TMS/GMS at Hollyhill, Knocknaheeny, Cork , Fax: 021-4301108, email: [tmscc@tms.corketb.ie](mailto:tmscc@tms.corketb.ie) Such an appeal must be brought 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 and Skills after the publication of this Policy, same shall apply instead.

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 and Skills under section 29A of the Education Act 1998.

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

An Applicant who was refused admission to TMS/GMS for a reason other than the school being oversubscribed and who wishes to appeal this decision may choose to put his/her appeal in writing, via a Section 29 Appeal Application Form, available from the school office and on the school's website, for it to be reviewed by the board of management of TMS/GMS. Such an appeal must be brought 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 and Skills after the publication of this Policy, same shall apply instead.

Alternatively, s/he may choose to apply to bring an appeal to an appeals committee established by the Minister for Education and Skills under section 29A of the Education Act 1998.

If an Applicant who chooses to appeal to the board of management is not satisfied with the decision of the board of management, the Applicant may also apply to bring an



appeal to an appeals committee established by the Minister for Education and Skills under section 29A of the Education Act 1998.

**6.3.3. Basis for appeal:**

As required by section 29C(2) of the Education Act 1998, an application to appeal 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 appeal the decision.

**Note:** Where an applicant has been refused admission due to the school being oversubscribed, the applicant **must request a review** of that decision by the Board of Management prior to making an appeal under Section 29 of the Education Act 1998.

Where an applicant has been refused admission due to a reason other than the school being oversubscribed, the applicant **may request a review** of that decision by the Board of Management prior to making an appeal under Section 29 of the Education Act 1998.

# SECTION

## APPLICATION TO SPECIAL CLASSES

### **7 APPLICATION TO SPECIAL CLASSES**

#### **7.1 Introduction**

- 7.1.1. ASD Programme Mission Statement
- 7.1.2. TMS/GMS ASD Programme Key Principles
- 7.1.3. Student Engagement in the TMS/GMS ASD Programme
- 7.1.4. Required Documentation
- 7.1.5. Determining suitability for the ASD Programme
- 7.1.6. TMS/GMS ASD Programme Steering Committee
- 7.1.7. On-going review of students in the ASD Programme
- 7.1.8. Exceptional Cases

#### **7.2 Admission Provisions for the Special Classes**

- 7.2.1. Oversubscription
- 7.2.2. Selection criteria in order of priority
- 7.2.3. Selection process
- 7.2.4. Late Applications
- 7.2.5. Second/third-round offers of a place
- 7.2.6. Acceptance of a place
- 7.2.7. Refusal
- 7.2.8. Withdrawal of an offer

#### **7.3 Appeals**

- 7.3.1. Appeal where refusal was due to oversubscription.
- 7.3.2. Appeal where refusal was for a reason other than oversubscription.
- 7.3.3. Basis for appeal

## **INTRODUCTION: APPLICATION TO ASD SPECIAL CLASS**

### **7.1.1 ASD Programme Mission Statement**

The development of an Autistic Spectrum Disorder (ASD) programme in Terence MacSwiney Community College (TMS)/Gaelcholáiste Mhic Shuibhne (GMS) is based on the philosophy of educational inclusion such that students with specialised needs should receive their education within the most supportive environment with a focus on realising the full potential of each individual student. The ASD programme in TMS/GMS will develop the students' life skills and prepare them for life after school in an ever-evolving model of best practice.

### **7.1.2 TMS/GMS ASD Programme Key Principles**

- Will enrol pupils whose educational needs can be met by the available model of service.
- Will give priority in the enrolment policy to students who are already enrolled in TMS/GMS. After existing TMS/GMS students, priority will be given to applications for enrolment into 1st year of the programme.
- A student cannot apply for a place in both the mainstream school and TMS/GMS ASD Programme. An application to the TMS/GMS ASD Programme and recommendation for placement in an ASD programme in a 2<sup>nd</sup> level school carries with it an acknowledgement that said student requires a level of support that can only be provided by participation in our ASD programme.
- Under Department of Education and Skills guidelines, the maximum number of students that can be enrolled in the TMS/GMS ASD programme is 6.

### **7.1.3 Student Engagement in the TMS/GMS ASD Programme**

In cases where the attendance and/or participation of a student enrolled in the ASD programme is of a nature that causes the ASD programme Staff and School Management to be significantly concerned about his/her engagement with the

programme, the impact on the attendance/non-attendance on the progress of the other students enrolled on the programme, and the possibility that a place is being denied to a more suitable applicant, the case for the student's removal from the programme will be referred to the Board of Management.

### **7.1.4 Required Documentation**

Terence MacSwiney Community College requires that all applications are accompanied by documentary evidence that proves conclusively that the applicant has been diagnosed with an Autistic Spectrum Disorder in accordance with DSM IV, DSM V or ICD 10 by an approved multi-disciplinary team, specialist / team of specialists in the fields of educational psychology / clinical psychology / child psychiatry. Students must also have a written recommendation for placement in an ASD special class in a mainstream secondary school setting. This documentation being in-date (within the previous 2 years) can be a determining factor in the allocation of places.

We require that parents/guardians of applicant pupils provide the college with a full, written original diagnostic history. Psychological reports / Occupational Therapy reports / Speech and Language Therapy reports, or any other reports, which refer to the original diagnosis, will not be accepted in lieu of the original written diagnosis. In order to determine our suitability for a student we strongly recommend that applicant students have School Transition Reports completed by a psychologist in conjunction with the feeder school and parents/guardians.

Ideally all applicant students should have a School Transition Report, but it is especially important for applicant students whose most recent psychological, cognitive, multi-disciplinary, educational, developmental, clinical assessment etc. are more than two years old by the closing date for applications. The application of students without a School Transition Report may be affected if these are not provided.

School Transition Report and most recent psychological/cognitive/multi-disciplinary etc. assessment must recommend placement in an ASD special class in a mainstream post-primary setting. Students without such a recommendation are not eligible.

The TMS/GMS ASD programme is not designed to meet the educational needs of students with a recommendation for a special school placement. Students with a recommendation for an ASD class will be given priority over students with a joint recommendation for an ASD class and/or a Special School.

Where a School Transition Report is not available applications should have a “Statement of Need” from the relevant HSE service. In this instance the student’s current school will also be asked to complete a School Transition Report. Applications without a “Statement of Need” or school-completed School Transition Report, where needed, may be affected by their absence.

In order to best support students and without affecting their eligibility for a place in the TMS/GMS ASD Programme we require that we are made aware of:

- Any additional medical conditions and / or dietary restrictions / requirements that the individual may have.
- Any medications that the applicant pupils may be in receipt of either at home or in the course of the school day.

#### **7.1.5 Determining suitability for the ASD Programme**

In order to determine our suitability for a student, we require that the Principal and/or selected member/members of the ASD Programme staff are facilitated in interviewing the Principal of the feeder school and/or any other school personnel (such as mainstream teachers, resource teachers and Special Needs Assistants) who are deemed to have played a significant role in the applicant pupil’s education to that point. Consultation with the SENO will also be part of this process.

In order to determine the suitability of a student for our ASD programme, we require that the parents/guardians of the applicant pupil, and the Principal of the feeder

school, agree to facilitate selected member/members of the ASD team in conducting as many observations as appropriate of the pupil in his/her current educational placement.

In order to determine the suitability of a student for our ASD programme we require that the feeder school, with parental permission, supply the TMS/GMS ASD Programme staff with copies of the applicant students' work, their up-to-date attainments and their most recent IEP.

Students must have a reasonable expectation of being able to follow school rules to be considered for enrolment in the TMS/GMS ASD Programme.

Priority will be given to those students who are most able to meaningfully participate in mainstream classes and education but would be unable to do so without the support provided by the TMS/GMS ASD Programme.

Students who apply must have learning needs of not less than mild general learning disability in order to be considered for enrolment in the TMS/GMS ASD Programme and will be enrolled subject to the suitability of the TMS/GMS ASD Programme to meet their needs.

Where the number of students meeting the above criteria to an equal degree exceeds the number of places available, priority will be given to applicants in accordance with the criteria set out in section 7.1.2.

Where the selection criteria outlined in section 7.1.2 cannot prioritize the selection of students for the ASD programme, the students' applications will be brought to a TMS/GMS ASD Programme Steering Committee for the selection of those students who will be offered places in the TMS/GMS ASD Programme.

For the avoidance of doubt, if there are (for example) three Category 4 applications for one available place in the ASD programme and all applicants have an appropriate ASD diagnosis and recommendation, the TMS/GMS ASD Programme Steering Committee

will convene to decide which applicant is the most suitable and should be offered the place.

#### **7.1.6 TMS/GMS ASD Programme Steering Committee**

The TMS/GMS ASD programme steering committee may comprise:

1. Terence MacSwiney Community College Principal (Ms. Phil O'Flynn)
2. Terence MacSwiney Community College Deputy Principal (Mr. Neil Creedon)
3. Terence MacSwiney Community College ASD Programme Coordinator (TBC)
4. Terence MacSwiney Community College CAST Coordinator (Ms. Grainne Carroll)
5. Psychologist (where available)
6. Cork ETB Director of Schools (Mr Pat McKelvey) or his representative

In making its decision, the steering committee will have regard for relevant Department of Education and Skills guidelines in relation to special class size and staffing provisions and/or any other relevant requirements concerning accommodation, including physical space and the health and welfare of existing and prospective students.

The steering committee and Board of Management of TMS/GMS respect the rights of the existing school community and students already enrolled. This will be taken into account when assessing entry into the TMS/GMS ASD Programme. Parents/guardians of applicant students will be informed of the outcome within ten working days of relevant steering committee meeting.

#### **7.1.7 On-going review of students in the ASD Programme**

As learning needs may change over time, a student's enrolment in the TMS/GMS ASD programme will be kept under continual review by the school. This review will be on an ongoing basis (but at a minimum, a review will take place once a year) and will include a careful examination of the student's progress in achieving his/her learning targets.

This review process will consider the student's progress and the TMS/GMS ASD Programme's ability to meet his/her needs and deliver the most beneficial educational programme.

The review will include regular assessing of:

- The academic, social, and behavioural benefits of the student being enrolled in the TMS/GMS ASD Programme.
- The level and quality of mainstream participation.
- Students' progression through IEPs.

The review will include the student's views and those of parents, teachers and other relevant professionals. The review will look at the suitability of the special class placement and whether the student's needs might be best addressed in a mainstream setting or whether a more supported setting is required (e.g. special school setting).

In cases where it is our professional opinion that a student is not benefitting from his/her place in the TMS/GMS ASD Programme, this will be discussed with parents and referred to the Board of Management to assess suitability for continuance on the programme. It will also be referred to the relevant ASD service for review.

Following a decision that the special class is no longer the most appropriate placement; a student may move to:

- a mainstream class in the same school or
- a mainstream class in a school more local to the student's home or
- a different category of special class or
- a special school

Where the change involves a move to a different school, parents should apply to enrol their child in the new school and the student should remain in the existing special class until the new placement is organised. TMS/GMS will help support the student's transition to a more suitable placement e.g. mainstream or special school.

The school should also notify the SENO when a student has left a special class, either to return to mainstream or enrol in another school, as this creates a vacancy in a special class that can be utilised for another student who may need it.

The rules for the maximum period that a student can be educated in a special class are generally the same as those for mainstream primary and post-primary classes.



Relevant parents are informed by the SENO and school of the location of special classes that have places available. Parents should also be informed that enrolment of their child will be subject to the particular school's enrolment policies.

#### **7.1.8 Exceptional Cases**

The Board of Management of Terence MacSwiney Community College reserves the right to refuse enrolment, to rescind an offer of enrolment or current enrolment to any student, in exceptional cases.

Such an exceptional case could arise where either:

- The child has special needs such that, even with additional resources available from the Cork Education Training Board, the school cannot meet such needs and/or provide the student with an appropriate education, or
- In the opinion of the Board of Management, the student poses an unacceptable risk to other students, to school staff or to school property.

## **7.2 ADMISSION PROVISIONS FOR THE SPECIAL CLASS**

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Terence MacSwiney Community College has a Special Class, established to cater for the additional educational needs of Students with Autism/Autistic Spectrum Disorders.

Only applications in respect of students whose needs fall within the category of Additional Educational Needs provided for by the Special Class will be considered.

Where the Special Class in Terence MacSwiney Community College is not oversubscribed, all students whose needs fall within the category of Additional Educational Needs provided for by the Special Class will be offered a place in the Special Class, subject to sections 4.7, 4.8 and 4.9.

In line with section 4.9, where the Special Class in Terence MacSwiney Community College is not oversubscribed, all children whose needs fall within the category of

special education needs provided for by the Special Class will be offered a place in the Special Class, subject to section 4.7.

**7.2.1. Oversubscription:**

When the number of applications exceeds the number of places available, the published selection criteria as set out at section 7.2.2 below will apply and a waiting list shall be compiled which shall remain valid for the school year in respect of which the applications are made. Where Terence MacSwiney Community College is in a position to offer further school places that become available for and during the 2021/2022 school year, places will be offered in accordance with the order of priority in which Students have been placed on the waiting list.

For the avoidance of doubt, if a Student 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 year group 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 made to all years other than the First-Year Group.

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.

**7.2.2. 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 additional 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:

- 7.2.2.1 Siblings of students who are already attending the school or who previously attended the school;
- 7.2.2.2 Students whose parent previously attended the school;

7.2.2.3 Students who are children of a current member of the staff of TMS/GMS;

7.2.2.4 Students from the school catchment area (See 5.1.2.4);

7.2.2.5 All other applicants.

**7.2.3. Selection process:**

Terence MacSwiney Community 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 school. This process is continuously carried out until all available places have been offered and accepted.

**7.2.4. Late applications:**

An application received by Terence MacSwiney Community College after the closing date published by Terence MacSwiney Community College, and set out in the Admission Notice, is considered a late application for the purposes of this Admission Policy.

Where Terence MacSwiney Community College is oversubscribed and receives a late application for admission, same will receive a place on the waiting list beneath Applicants whose applications were received by Terence MacSwiney Community College before the closing date for applications. Such applications will be placed on the waiting list in accordance with the date and time they were received by Terence MacSwiney Community College and subsequently Terence MacSwiney Community College's selection criteria will be applied in accordance with this Policy.

Where Terence MacSwiney Community College is not oversubscribed and it receives a late application, the Student seeking admission will receive an offer of a place within

Terence MacSwiney Community College, subject to sections 4.7 and 4.8, and 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.

**7.2.5. Second/third-round offers of a place.**

Where a Student is in receipt of an offer of a place within Terence MacSwiney Community College but does not accept the offer, or fails to accept within the specified time period, 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 school have been filled.

**7.2.6. 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 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 refusal as set out below.

**7.2.7. 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:

- 7.2.7.1 The reasons that the Student was not a offered a place in Terence MacSwiney Community College.

- 7.2.7.2 Details of the Student's ranking against the published selection criteria,
- 7.2.7.3 Details of the Student's place on the waiting list, if applicable, and
- 7.2.7.4 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 4.9, an offer of admission may be withdrawn where:

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

### **7.2.8. Withdrawal of an offer**

An offer of admission may be withdrawn where:

- 7.2.8.1 The information contained in the application is false or misleading in a material respect or
- 7.2.8.2 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 s/he is applying or in the case of a late application, or second/third-round offer, within 2 weeks, or
- 7.2.8.3 An Applicant has not indicated:
  - a) 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
  - b) 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 the student shall be treated as a late application in line with section 7.2.4 above.

## **7.3 APPEALS**

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### **7.3.1 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 submit his/her appeal in writing, via a Section 29 Appeal Application Form, available from the school office and on the school's website, for it to be reviewed by the board of management of Terence MacSwiney Community College at Harbour View Road, Knocknaheeny, Cork, [tmscc@tms.corketb.ie](mailto:tmscc@tms.corketb.ie)

Such an appeal must be brought 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 and Skills after the publication of this Policy, same shall apply instead.

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 and Skills under section 29A of the Education Act 1998.

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

An Applicant who was refused admission to Terence MacSwiney Community College for a reason other than the school being oversubscribed and who wishes to appeal this decision may choose to put his/her appeal in writing, via a Section 29 Appeal Application Form, available from the school office and on the school's website, for it to be reviewed by the board of management of Terence MacSwiney Community College. Such an appeal must be brought 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 and Skills after the publication of this Policy, same shall apply instead.

Alternatively, s/he may choose to apply to bring an appeal to an appeals committee established by the Minister for Education and Skills under section 29A of the Education Act 1998.

If an Applicant who chooses to appeal to the Board of Management is not satisfied with the decision of the Board of Management, the Applicant may also apply to bring an appeal to an appeals committee established by the Minister for Education and Skills under section 29A of the Education Act 1998.

**7.3.2 Basis for appeal:**

As required by section 29C (2) of the Education Act 1998, an application to appeal 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 appeal the decision.