Policy For Admission To Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne

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

Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne was established in 1979.

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.

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PART A

General Information for All Applicants

1. ***Glossary of Terms***
2. ***Admission Statement***
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4. ***General Admission Provisions (for all Applicants)***

1 GLOSSARY OF TERMS

'**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 Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne

'**Student'** means the person in respect of whom the application is being made. All uses of the word throughout this Policy therefore imply 'prospective' as part of the interpretation. That is, the use of the word 'Student' does not mean that an application or acceptance of offer makes him/her a student of Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne; a person is only regarded as a student of Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne once s/he is enrolled on his/her first day of attendance. It does not include a person who was formerly enrolled in the school and was permanently excluded from the school or who left the school after being recommended for expulsion by the Board of Management.

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

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

'**Catchment Area'** refers to the designated residential area (determined by the Board of Management of Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne in respect of the person on whose behalf the application is being made (to all classes other than the Special Class). The Catchment Area for Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne is defined as: the city North West Region.

'**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.

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

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

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

'**Special Class'** means a class that has, with the approval of the Minister of Education, been established by a school to provide an education exclusively for Students with a category or categories of special educational needs specified by the Minister of Education. Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne has Special Classes, established to cater for special educational needs of Students with Autism/Autistic Spectrum Disorders, Moderate General Learning Disability, Mild General Learning Disability, Severe Profound General Learning Disabilities, Specific Speech and Language Disorder, Hearing Impairment, Emotional Disturbance, Multiple Disabilities.

'Relevant Report', as advised by the Department of Education and the National Council for Special Education (NCSE), means a written report, based on an assessment by a relevant professional, which:

(a) provides detailed evidence of the Student's needs,
(b) confirms that those needs constitute complex/severe educational needs which arise from a named diagnosis relating to the Student, and
(c) makes a recommendation for a Special Class placement for the Student on the basis of his/her complex/severe educational needs arising from said diagnosis.

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.

‘**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.

2 ADMISSION STATEMENT

Cork Education and Training Board is the patron of Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne, a state, co-educational, multi-denominational school underpinned by the core values of:

· Excellence in Education;

· Care;

· Equality;

· Community;

· Respect.

As a state provider of education, Cork Education and Training Board defines a 'multi- denominational' school in the following way:

In Cork Education and Training Board 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.

Terence MacSwiney Community College/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 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.

Accordingly, Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne shall not discriminate in its admission of a Student based on the following grounds:

2.1. Gender of the Student or Applicant. However, where a school admits students of one gender only, it is not discriminatory to refuse to admit Students not of that gender;

2.2. Civil status of the Student or Applicant;

2.3. Family status of the Student or Applicant;

2.4. Sexual orientation of the Student or Applicant;

2.5. Religion of the Student or Applicant;

2.6. Disability of the Student or Applicant;

2.7. Race of the Student or Applicant;

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

2.9. Special educational needs of the Student or Applicant. [However, where the school provides education exclusively for a category or categories of special educational need(s) in a Special Class, it is not discriminatory to refuse to admit to that class a Student who does not have the specified special educational need(s).

Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne shall not charge fees or payments or seek contributions as a condition of admission or continued enrolment of a Student.

3 LEGAL FRAMEWORK

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 Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne is a committee established under section 44 of the Education and Training Board Act 2013 and also constitutes a board of management within the meaning of the Education Act 1998.

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

The Education Act 1998 provides for an appeal process in the event of a refusal to admit a Student. The appeal process is set out in section 5.3 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.

In Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne, 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.

Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne 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.

Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne will comply with any direction served on the patron or the board, as the case may be, under section 37A and any direction served on the board under section 67(4B) of the Education Act.

4 GENERAL ADMISSION PROVISIONS

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

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

In processing an application Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne **shall not consider**:

4.1 The payment of fees or contributions to the school;

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

- it is necessary to ascertain whether or not the Student has the category of special educational needs concerned for admission to a school approved by the Minister of Education providing education exclusively to Students with a specified category of special educational needs or a special class;
- evidence of same is furnished by the Applicant as evidence of the Student's level of fluency in the Irish language and the school is oversubscribed;

4.3 The occupation, financial status, academic ability, skills or aptitude of a Student's Parent(s);

4.4 A requirement that a Student or his or her Parent(s), attend an interview, open day or other meeting as a condition of admission;

4.5 A Student's connection to the school due to a member of his or her family attending or having previously attended the school ,unless the connection is a sibling of the Student concerned attending, or having attended, the school, or a parent or grandparent having previously attended the school. However, the maximum number of places filled by this criterion does not exceed 25% of the available places as set out in the school's Admission Notice for that academic year.

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

Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne **will consider** the offer of a place to every Student seeking admission to the school, **unless one of the following applies**:

4.7 The Parent fails to confirm in writing that s/he accepts the Student Code of Behaviour and he/she shall make all reasonable efforts to ensure compliance with such code by the Student;

4.8 The Student seeking admission to a Special Class in the school does not have the category of special educational needs specified by the Minister of Education in respect of that class

Where Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne 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 for the 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 the Special Class***

SECTION 5
APPLICATION TO THE FIRST-YEAR GROUP

5 APPLICATION TO THE FIRST-YEAR GROUP

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5.3 Appeals

5.3.1. Appeal where refusal was due to oversubscription
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5.1 ADMISSION PROVISIONS (FIRST-YEAR GROUP)

In the event that Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne is not oversubscribed, all Students will be offered a school place, subject to sections 4.7 and 4.8 .

A Student applying for the First-Year Group but seeking admission to the Special Class should see section 7 of this Admission Policy. If the Student is also applying for a place in the mainstream First-Year Group in the event of an unsuccessful application to the Special Class, this section 5 is also applicable.

Incomplete applications received by the school will not be processed under this policy.

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 Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhneis 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, subject to the provisions of section 7.1.1 regarding the Special Class.

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

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

Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhnewill apply the following criteria for admission to the First-Year Group:

5.1.2.1 If the Student will have attained 12 years of age by the 31st January of the academic year to which s/he is applying to be enrolled in First Year, after having completed sixth class (or equivalent) in primary school [and resides in the Catchment Area];

5.1.2.2 If the Student has siblings currently enrolled in the school [and resides in the Catchment Area];

5.1.2.3 If the Student resides in the Catchment Area;

5.1.2.4 If the Student has siblings who were previously enrolled in the school;

5.1.2.5 If a parent/guardian of the Student is a member of staff of the school;

Note: See section 5.2.2 for selection criteria applicable to admission to the Aonad Lán Gaeilge. See section 7 for selection criteria applicable to admission to the Special Class.

5.1.3 Selection process

Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhnewill 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 relevant year group 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 relevant year group. 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, [XX School] will apply a random lottery to assign any available places in the relevant year group, 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[1].

Late applications

An application received by Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhneafter 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 the relevant year group 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 sections4.7 and 4.8. For the avoidance of doubt, selection criteria are not relevant to, and will not be applied to, late applications.

Where the relevant year group is not oversubscribed, *i.e.* there is no waiting list, and it receives a late application, the Student seeking admission will receive an offer of a place

[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 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.*"

within the relevant year group, 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 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 Student is in receipt of an offer of a place within the relevant year group 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 relevant year group have been filled.

5.1.5 Acceptance of a place

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

The Applicant shall indicate acceptance of an offer by fully completing and returning the Acceptance Form by the date set out in the School'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.

5.1.6 Refusal

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

5.1.7.1. The reasons that the Student was not a offered a place in Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne

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 and 4.8, 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 <u>Withdrawal of an offer</u>

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 Student 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 Student and shall be treated as a late application in line with section 5.1.4 above.

5.1.8 Appeals

For information relating to an Applicant's right to appeal a decision of Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhneregarding admission to the First-Year Group, see section 5.3.

5.2. ADMISSION TO THE AONAD LÁN GAEILGE

Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne 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. Applications made for the Aonad Lán Gaeilge ***and*** the English-medium stream will be considered for the Aonad Lán Gaeilge in the first instance and subsequently the English-medium stream.

In the event that the Aonad Lán Gaeilge for the First Year Group in Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne is not oversubscribed, all Students who seek admission therein will be offered a place, subject to sections 4.7 and 4.8.

A Student applying for the First-Year Aonad Lán Gaeilge but seeking admission to the Special Class, should see section 7 of this Admission Policy. If the Student is also applying for a place in the mainstream First-Year Aonad Lán Gaeilge in the event of an unsuccessful application to the Special Class, this section 5 is also applicable.

Incomplete applications received by the school will not be processed under this policy.

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 Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne 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 subject to the provisions of section 7.1.1 regarding the Special Class.

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

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 Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne by the Applicant.

Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne will apply the following criteria for admission to the Aonad Lán Gaeilge where the Aonad Lán Gaeilge is oversubscribed:

5.2.2.1. 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;

5.2.2.2. If the Student will be 12 years of age by the 31st January of the academic year to which s/he is applying to be enrolled in First Year, after having completed sixth class (or equivalent) in primary school [and resides in the Catchment Area];

5.2.2.3. If the Student has siblings currently enrolled in the school [and resides in the Catchment Area;

5.2.2.4. If the Student resides in the Catchment Area;

5.2.2.5. If the Student has siblings who were previously enrolled in the school;

5.2.2.6. If the Student had a parent or grandparent who previously attended the school (to a maximum of 25% of the places available);

5.2.2.7. If a parent/guardian of the Student is a member of staff of the school;

5.2.3 Selection process:

Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne will apply the selection process as follows:

Having met the criteria for admission to the Aonad Lán Gaeilge, 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 Aonad Lán Gaeilge for the First Year Group 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 Aonad Lán Gaeilge for the First Year Group. 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, Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne will apply a random lottery to assign any available places in the Aonad Lán Gaeilge for the First Year Group, or on the waiting list, to those applications.]

N.B. The number of places available in the Aonad Lán Gaeilge for a given 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 Aonad Lán Gaeilge year group, *i.e.* the selection process for the Special Class will be completed before the selection process for the Aonad Lán Gaeilge in a given 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 Aonad Lán Gaeilge year group(s) are reduced[2].

5.2.4 Late applications:

An application received by Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhneafter the closing date published by Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhneand set out in the Admission Notice, will be considered a late application for the purposes of this Admission Policy.

Where the Aonad Lán Gaeilge for First Year Group 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 4.7 and 4.8. For the avoidance of doubt, selection criteria are not relevant to, and will not be applied to, late applications.

Where Aonad Lán Gaeilge for the First Year Group is not oversubscribed, *i.e.* there is no waiting list, and it receives a late application, the Student seeking admission will receive an offer of a place within Aonad Lán Gaeilge for the First Year Group , 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 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 the Aonad Lán Gaeilge for the First Year Group Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhnebut does not accept the offer, or the school withdraws the offer in line with the

[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.*"

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 Aonad Lán Gaeilge for the First Year Group 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 a offered a place in Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne.

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 and 4.8, 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 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 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 Student and 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 Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne regarding admission to the Aonad Lán Gaeilge in the First-Year Group, see section 5.3.

5.3. APPEALS

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 first request a review by the board of management in writing, via a 'BOMR1 Form', available from the school office and at https://www.gov.ie/en/publication/8248c-appeals-in-relation-to-refusal-to-admit-a-student-due-to-a-school-being-oversubscribed/#how-to-seek-a-review-by-the-board-of-management, for it to be reviewed by the board of management of Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne. Such a review must be sought by the Applicant within twenty-one calendar days of the school's decision to refuse to admit. However, if a different time period for the bringing of such an appeal is specified by the Minister for Education after the publication of this Policy, same shall apply instead. Completed BOMR1 Forms should be submitted to the school office or online by emailing www.tmscc.ie or www.gctms.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', available at https://www.gov.ie/en/publication/8248c-appeals-in-relation-to-refusal-to-admit-a-student-due-to-a-school-being-oversubscribed/#how-to-appeal-if-a-child-has-been-refused-admission-because-the-school-is-full and submitted to the Section 29 Appeals Administration Unit in the Department of Education or the appeal can be submitted online by uploading the required documentation at https://www.section29appeals.gov.ie/. 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, whichever is earlier, and an appeal may not be brought later than 63 calendar days after the initial decision to refuse admission.

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

An Applicant who was refused admission to Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne 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 at https://www.gov.ie/en/publication/31c4f-appeals-in-relation-to-refusal-to-admit-a-student-for-a-reason-other-than-the-school-being-oversubscribed/#how-to-seek-a-review-by-the-board-of-management, for it to be reviewed by the board of management of Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne. Such a review must be sought by the Applicant within twenty-one calendar days of the school's decision to refuse to admit. However, if a different time period for the bringing of such an appeal is specified by the Minister for Education after the publication of this policy, same shall apply instead. Completed BOMR1 Forms should be submitted to the school office or online by emailing www.tmscc.ie or www.gctms.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', available at https://www.gov.ie/en/publication/31c4f-appeals-in-relation-to-refusal-to-admit-a-student-for-a-reason-other-than-the-school-being-oversubscribed/#how-to-appeal-if-my-child-has-been-refused-admission-and-the-school-has-places-available and submitted to the Section 29 Appeals Administration Unit in the Department of Education or the appeal can be submitted online by uploading the required documentation at https://www.section29appeals.gov.ie/. 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.

5.3.3. 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 YEAR GROUPS OTHER THAN FIRST-YEAR

6 APPLICATION TO ALL YEAR GROUPS OTHER THAN FIRST-YEAR

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6.3 Appeals

6.3.1. Appeal where refusal was due to oversubscription
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6.1 ADMISSION PROVISIONS (OTHER THAN FIRST-YEAR)

In the event that Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne is not oversubscribed, all Students will be offered a school place, subject to sections 4.7 and 4.8.

A Student applying for admission to a year group other than First-Year but seeking admission to the Special Class should see section 7 of this Admission Policy. If the Student is also applying for a place in the mainstream year group other than First-Year in the event of an unsuccessful application to the Special Class, this section 6 is also applicable.

Incomplete applications received by the school will not be processed under this policy.

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 Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne 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, subject to the provisions of section 7.1.1 regarding the Special Class.

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

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.

Where the Transition Year Programme and/or Leaving Certificate Applied Programme in Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne is/are oversubscribed, a Student applying for admission to such programmes in the relevant year group, will, subject to this policy, be placed on the appropriate waiting list already compiled (annually) by the school, which list will contain the names of students enrolled in the school who have been placed on an internal waiting list for these programmes.

6.1.2 Selection criteria in order of priority

Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne will apply the following criteria for admission to a year group other than First-Year:

6.1.2.1. If the Student has siblings currently enrolled in the school [and resides in the Catchment Area];
6.1.2.2. If the Student resides in the Catchment Area
6.1.2.3. If the Student has siblings who were previously enrolled in the school;
6.1.2.4. If a parent/guardian of the Student is a member of staff of the school;
6.1.2.5. If the Student had a parent or grandparent who previously attended the school (to a maximum of 25% of the places available);

Note: See section 6.2.2 for selection criteria applicable to admission to the Aonad Lán Gaeilge. 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

Terence McSwiney Community College/Gaelcholáiste Mhic Shuibhne 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 relevant year group 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 relevant year group. 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, [XX School] will apply a random lottery to assign any available places in the relevant year group, 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].

6.1.4 Late applications:

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

Where the relevant year group 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

[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.*"

before the closing date for applications. Such late applications will be placed on the waiting list in accordance with the date and time they were received by the school, subject to sections 4.7 and 4.8. For the avoidance of doubt, selection criteria are not relevant to, and will not be applied to, late applications.

Where Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne is not oversubscribed, *i.e.* there is no waiting list, and it receives a late application, the Student seeking admission will receive an offer of a place within the relevant year group, 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 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 the relevant year group 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 relevant year group 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 a offered a place in Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne

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 and 4.8, 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 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 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 Student and 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 Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne regarding admission to a year group other than First-Year, see section 6.3.

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

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.

In the event that the Aonad Lán Gaeilge for a given year group in Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne is not oversubscribed, all Students who seek admission therein will be offered a place, subject to sections 4.7 and 4.8.

A Student applying for the Aonad Lán Gaeilge (other than First-Year) but seeking admission to the Special Class, should see section 7 of this Admission Policy. If the Student is also applying for a place in the mainstream Aonad Lán Gaeilge (other than First-Year) in the event of an unsuccessful application to the Special Class, this section 6 is also applicable.

Incomplete applications received by the school will not be processed under this policy.

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 Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne 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, subject to the provisions of section 7.1.1 regarding the Special Class.

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

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.

Where the Transition Year Programme and/or Leaving Certificate Applied Programme in Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne is/are oversubscribed, a Student applying for admission to such programmes in the relevant year group, will, subject to this policy, be placed on the appropriate waiting list already compiled (annually) by the school, which list will contain the names of students enrolled in the school who have been placed on an internal waiting list for these programmes.

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 Terence McSwiney Community College/Gaelcholáiste Mhic Shuibhne by the Applicant.

Terence McSwiney Community College/Gaelcholáiste Mhic Shuibhne 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 If the Student has siblings currently enrolled in the school [and resides in the Catchment Area];

6.2.2.3 If the Student resides in the Catchment Area;

6.2.2.4 If a parent/guardian of the Student is a member of staff of the school;

6.2.2.5 If the Student has siblings who were previously enrolled in the school;

6.2.2.6 If the Student had a parent or grandparent who previously attended the school (to a maximum of 25% of the places available);

6.2.3 Selection process:

Terence McSwiney Community College/Gaelcholáiste Mhic Shuibhne will apply the selection process as follows:

Having met the criteria for admission to the Aonad Lán Gaeilge, 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 Aonad Lán Gaeilge for the relevant year group 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 Aonad Lán Gaeilge for the relevant year group. 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, [XX School] will apply a random lottery to assign any available places in the Aonad Lán Gaeilge for the relevant year group, or on the waiting list, to those applications.

N.B. The number of places available in the Aonad Lán Gaeilge for a given 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 Aonad Lán Gaeilge year group, *i.e.* the selection process for the Special Class will be completed before the selection process for the Aonad Lán Gaeilge in a given 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 Aonad Lán Gaeilge year group(s) are reduced.[4]

6.2.4 Late Applications

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

Where the Aonad Lán Gaeilge for the relevant year groupis 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 4.7 and 4.8. For the avoidance of doubt, selection criteria are not relevant to, and will not be applied to, late applications.

Where the Aonad Lán Gaeilge for the relevant year group is not oversubscribed, *i.e.* there is no waiting list, and it receives a late application, the Student seeking admission will receive an offer of a place within the Aonad Lán Gaeilge for the relevant year group, 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 Aonad Lán Gaeilge for the relevant year 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

[4] 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.*"

waiting list in a second-round of offers. This process will continue throughout third and fourth rounds *etc.* until all places within the Aonad Lán Gaeilge for the relevant year group 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 a offered a place in Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne

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 and 4.8, 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 in the case of a late application, or second/third-round offer, within 2 weeks, or

6.2.8.3. 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 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 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 Student and 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 Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne regarding admission to the Aonad Lán Gaeilge in all years other than the First-Year Group, see section 6.4.

6.3 APPEALS

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 first request a review by the board of management in writing, via a 'BOMR1 Form', available from the school office and at https://www.gov.ie/en/publication/8248c-appeals-in-relation-to-refusal-to-admit-a-student-due-to-a-school-being-oversubscribed/#how-to-seek-a-review-by-the-board-of-management, for it to be reviewed by the board of management of Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne. Such a review must be sought by the Applicant within twenty-one calendar days of the school's decision to refuse to admit. However, if a different time period for the bringing of such an appeal is specified by the Minister for Education after the publication of this Policy, same shall apply instead. Completed BOMR1 Forms should be submitted to the school office or online by emailing www.tmscc.ie or www.gctms.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', available at https://www.gov.ie/en/publication/8248c-appeals-in-relation-to-refusal-to-admit-a-student-due-to-a-school-being-oversubscribed/#how-to-appeal-if-a-child-has-been-refused-admission-because-the-school-is-full and submitted to the Section 29 Appeals Administration Unit in the Department of Education or the appeal can be submitted online by uploading the required documentation at https://www.section29appeals.gov.ie/. 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, whichever is earlier, and the appeal may not be brought later than 63 calendar days after the initial decision to refuse admission.

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

An Applicant who was refused admission to Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne 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 at https://www.gov.ie/en/publication/31c4f-appeals-in-relation-to-refusal-to-admit-a-student-for-a-reason-other-than-the-school-being-oversubscribed/#how-to-seek-a-review-by-the-board-of-management, for it to be reviewed by the board of management of Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne. Such a review must be sought by the Applicant within twenty-one calendar days of the school's decision to refuse to admit. However, if a different time period for the bringing of such an appeal is specified by the Minister for Education after the publication of this Policy, same shall apply instead. Completed BOMR1 Forms should be submitted to the school office or online by emailing www.tmscc.ie or www.gctms.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', available at https://www.gov.ie/en/publication/31c4f-appeals-in-relation-to-refusal-to-admit-a-student-for-a-reason-other-than-the-school-being-oversubscribed/#how-to-appeal-if-my-child-has-been-refused-admission-and-the-school-has-places-available and submitted to the Section 29 Appeals Administration Unit in the Department of Education or the appeal can be submitted online by uploading the required documentation at https://www.section29appeals.gov.ie/. 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.

6.3.3. 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 CLASS

7 APPLICATION TO THE SPECIAL CLASS

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
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7.2. Appeals

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7.2.3. Basis for a review by the board of management

7.1. ADMISSION PROVISIONS FOR THE SPECIAL CLASSES

Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne has Special Classes, established to provide education to Students with severe/complex educational needs arising from Autism/Autistic Spectrum Disorders.

Only applications in respect of Students whose needs fall within the category of special educational needs provided for by the Special Class will be considered. In this respect, the school requires that such severe/complex educational needs and the related diagnosis of the Student be evidenced and verified in a Relevant Report, the mandatory elements of which are set out in the Glossary of Terms section, and which has been prepared within the 24 months immediately preceding the Student's application to the Special Class, unless the application is for First Year and the Student is already enrolled in a Special Class in primary school at the time of application, in which case the Relevant Report does not need to be dated within 24 months of the application. The school also requires documentation from the NCSE (National Council for Special Education) confirming that the Student is known to the NCSE and has the required diagnosis and recommendation for a special class, in addition to a Relevant Report.

In the event that the Special Class in Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne is not oversubscribed, all Students whose needs fall within the category of special educational needs provided for by the Special Class and who submit the requisite Relevant Report together with the documentation from the NCSE, will be offered a place in the Special Class, subject to sections 4.7 and 4.8.

Incomplete applications received by the school will not be processed under this policy.

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 Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne is in a position to offer further places that become available in the Special Class for and during that academic year, places will be offered in accordance with the order

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

For clarity, if a place becomes available in a given mainstream class group, before that place is offered to a Student on the waiting list for that mainstream year group, the waiting list for the Special Class shall be reviewed and if there is a place available in the Special Class and there is a Student on the waiting list who would be able to take-up the place due to the available place in the given mainstream year group, that Student will be offered the place in the Special Class (thereby removing the place in the mainstream year group). This is in the interest of ensuring that the scarce resources of the Special Class are never under-utilised.

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

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

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

7.1.2. Selection criteria in order of priority:

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

7.1.2.1 The greatest level of need, as determined by the principal in consultation with the SEN team in the school, having considered the Relevant Report in respect of the Child; If two of more Students are tied on this criterion then the next selection criteria in the list will be applied to those students to determine the order of priority of those students.

7.1.2.2 If the Student will have attained at least 12 years of age by the 31st January of the academic year to which s/he is applying to be enrolled in the Special Class [and resides in the Catchment Area];

7.1.2.3 If the Student has siblings currently enrolled in the school [and resides in the Catchment Area];

7.1.2.4 If the Student resides in the Catchment Area;

7.1.2.5 If a parent/guardian of the Student is a member of staff of the school.

7.1.3. Selection process:

Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne 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 Special Class 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, Terence McSwiney Community College/Gaelcholáiste Mhic Shuibhne 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.[5]

7.1.4. <u>Late applications:</u>

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

Where the Special Classis 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 4.7 and 4.8. For the avoidance of doubt, selection criteria are not relevant to, and will not be applied to, late applications.

Where the Special Classis not oversubscribed, *i.e.* there is no waiting list, and it receives a late application, the Student seeking admission will receive an offer of a place in the Special

[5] 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.*"

Class, 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 applied *i.e.* an Acceptance Form will be issued to the Applicant for completion and return to the school within 2 weeks of issue.

7.1.5. Second/third-round offers of a place

Where a Student is in receipt of an offer of a place within the Special Class but does not accept the offer, or the school withdraws the offer in line with the relevant provisions of this Policy, the place will be offered to the next Student on the waiting list in a second-round of offers. This process will continue throughout third and fourth rounds *etc.* until all places within the Special Class have been filled.

7.1.6. 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'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 Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne;

7.1.7.2 Details of the Student's ranking against the published selection criteria, if the year group to which the applicant is applying is oversubscribed;

7.1.7.3 Details of the Student's place on the waiting list, if applicable; and

7.1.7.4 Details of the Applicant's right to appeal the decision

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

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

7.1.8. 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 Student 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 Student 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 at https://www.gov.ie/en/publication/8248c-appeals-in-relation-to-refusal-to-admit-a-student-due-to-a-school-being-oversubscribed/#how-to-seek-a-review-by-the-board-of-management, for it to be reviewed by the board of management of Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne. Such a review must be sought by the Applicant within twenty-one calendar days of the school's decision to refuse to admit. However, if a different time period for the bringing of such an appeal is specified by the Minister for Education after the publication of this Policy, same shall apply instead. Completed BOMR1 Forms should be submitted to the school office or online by emailing www.tmscc.ie or www.gctms.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', available at https://www.gov.ie/en/publication/8248c-appeals-in-relation-to-refusal-to-admit-a-student-due-to-a-school-being-oversubscribed/#how-to-appeal-if-a-child-has-been-refused-admission-because-the-school-is-full and submitted to the Section 29 Appeals Administration Unit in the Department of Education or the appeal can be submitted online by uploading the required documentation at https://www.section29appeals.gov.ie/.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, whichever is earlier, and the appeal 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 Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne 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 at https://www.gov.ie/en/publication/31c4f-appeals-in-relation-to-refusal-to-admit-a-student-for-a-reason-other-than-the-school-being-oversubscribed/#how-to-seek-a-review-by-the-board-of-management, for it to be reviewed by the board of management of Terence MacSwiney Community College/Gaelcholáiste Mhic Shuibhne. Such a review must be sought by the Applicant within twenty-one calendar days of the school's decision to refuse to admit. However, if a different time period for the bringing of such an appeal is specified by the Minister for Education after the publication of this Policy, same shall apply instead. Completed BOMR1 Forms should be submitted to the school office or online by emailing www.tmscc.ie or www.gctms.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', available at https://www.gov.ie/en/publication/31c4f-appeals-in-relation-to-refusal-to-admit-a-student-for-a-reason-other-than-the-school-being-oversubscribed/#how-to-appeal-if-my-child-has-been-refused-admission-and-the-school-has-places-available and submitted to the Section 29 Appeals Administration Unit in the Department of Education or the appeal can be submitted online by uploading the required documentation at https://www.section29appeals.gov.ie/. 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.