

# **Setanta Special School Admissions Policy**

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## **1. Introduction**

- 1.1. This Admission Policy complies with the requirements of the Education Act 1998, the Education (Admission to Schools) Act 2018 and the Equal Status Act 2000. In drafting this policy, the Board of Management of the school has consulted with school staff, the school patron and with parents/guardians of students attending the school.
- 1.2. The policy was approved by the school patron on 21<sup>st</sup> September 2020. It is published on the school's website and will be made available in hardcopy, on request, to any person who requests it.
- 1.3. The relevant dates and timelines for the Setanta Special School admission process are set out in the school's annual Admission Notice which is published annually on the school's website at least one week before the commencement of the admission process for the school year concerned.
- 1.4. This policy must be read in conjunction with the annual Admission Notice for the school year in question.
- 1.5. The application form for admission is published on the school's website and will be made available in hardcopy on request to any person who requests it.

## **2. Characteristic spirit and general objectives of the school**

- 2.1. Setanta Special School caters for students aged from 12-18 years with Autistic Spectrum Disorders in the mild or moderate cognitive range or above for whom a special school placement is appropriate.  

Our school is a non-denominational, co-educational school under the patronage and the trusteeship of the Health Service Executive (HSE) under the Education Act, 1998. Clinical Services are provided by Children's Disability Network Teams (CDNTs). Students are allocated to a CDNT based on their home addresses.
- 2.2. The school aims to promote the full and harmonious development of all pupils, cognitive, intellectual, physical, cultural, moral and spiritual in a therapeutic, nurturing environment. The school's staffing allocation takes account of the fact that our school caters for pupils with an autistic spectrum disorder and possible related special needs. The staffing levels are decided by the National Council for Special Education (NCSE) and are currently set at a minimum pupil/teacher ratio of 6.1 and two special needs assistants are

allocated to each class. Additional staffing resources may be applied for as per the timeframe set out by the NCSE.

2.3. In setting out and applying the school admissions policy, the Board of Management will have regard to the resources and funding from all the aforementioned sources.

2.4. Setanta Special School follows the curricular programmes laid down by the Department of Education and Science, amended from time to time in accordance with Section 9 and 30 of the Education Act (1998), in order to provide an appropriate education for each child. The curricular programmes provided by the school are adapted to meet the particular special educational needs of pupils with autism

2.5. Within the context and parameters of the Department of Education and Skills regulations and programmes, the rights of the Patron as set out in the Education Act and the funding and resources available, the school supports the principles of:

- Inclusiveness, particularly with reference to the enrolment of children with a disability or other special educational need;
- Equality of access and participation in school;
- Parental choice in relation to enrolment;
- Respect for the diversity of values, beliefs, traditions, languages and ways of life in society.

2.6. The decision-making process regarding admissions is set out in this document. Enrolment is contingent, amongst other things, on the availability of a suitable vacancy in the school for the age and educational needs of an applicant.

2.7. Classroom capacity varies according to the range of needs of the children we are catering for at a particular time. As a result, class groups may vary in size depending on the number of pupils within a class presenting with

additional needs. In this regard, the Principal may deem some classes to be full to capacity and advise the Board of Management accordingly.

### **3. Admission Statement**

- 3.1. Each child is considered as an individual. The Board of Management strives to ensure that every child accepted into Setanta Special School can benefit from the services on offer. The decision as to who will benefit involves the consideration of a wide range of issues. These issues will include the parents'/guardians' views on the proposed educational placement of their child, existing resources available, additional learning and medical needs (for example ADHD, severe emotional behavioural disorder, dysphasia, epilepsy, etc.) social needs, emotional and behavioural needs. While recognising the right of parents/guardians to enrol their child in the school of their choice, the Board of Management is also responsible for respecting the rights of the existing school community and in particular the children already enrolled. This requires balanced judgements, which are guided by the principles of natural justice and acting in the best interest of all children.
- 3.2. In the admissions process, consideration will be given to ensure that a healthy and safe environment for all students and staff prevails and applications for children who might threaten the safety of the children already enrolled, many of whom are vulnerable by nature of their disability are likely to be refused.
- 3.3. In accordance with Section 15(2)(d) of the Education Act 1998, this policy sets out the Setanta Special School policy on the admission of students and their participation in the school.
- 3.4. In accordance with Section 61 of the Education Act 1998, the school confirms that the school shall not discriminate in its admission of a student to the school on
  - (a) the gender ground of the student or the applicant in respect of the student concerned,
  - (b) the civil status ground of the student or the applicant in respect of the student concerned,
  - (c) the family status ground of the student or the applicant in respect of the student concerned,

- (d) the sexual orientation ground of the student or the applicant in respect of the student concerned,
- (e) the religion ground of the student or the applicant in respect of the student concerned,
- (f) the disability ground of the student or the applicant in respect of the student concerned,
- (g) the ground of race of the student or the applicant in respect of the student concerned,
- (h) the Traveller community ground of the student or the applicant in respect of the student concerned.
- (i) the ground that the student or the applicant in respect of the student concerned has special educational needs

3.5. Setanta Special School is a school which, with the approval of the Minister and Department of Education and Skills provides an education exclusively to students with a certain category of special educational needs, that being students **who have a diagnosis of an Autistic Spectrum Disorder and have a mild or moderate learning disability**. The school will therefore refuse to admit students whose educational needs do not fall within this category and a refusal to admit a child who does not have these educational needs will not constitute discrimination.

3.6. This policy aims to uphold the moral, spiritual, physical and psychological welfare and constitutional rights of all persons concerned. The school will strive to ensure that the principle of “reasonable accommodation” is enacted for all students.

3.7. Places in the school are allotted each September to applicants who meet the Threshold Criteria in order of age.

#### **4. Categories of Special Educational Needs catered for in the school**

4.1. Setanta Special School is a school which with the approval of the Minister and Department of Education and Skills provides an education exclusively to students who have a diagnosis of an Autistic Spectrum Disorder and have a mild or moderate general learning disability.

## 5. Admission of Students and Admissions Process

### 5.1. General Principle

Setanta Special School provides an education exclusively for students who have a diagnosis of an Autistic Spectrum Disorder and have a mild or moderate learning disability and may refuse admission to a student, where the student does not have the specified category of special educational needs provided for by this school. Setanta Special School must verify that all applicants possess this category of need. The steps below are for the purpose of ascertaining if applicants come within the category of special needs catered for by the school and the steps therefore apply to **all applications** regardless of whether the destination class in question is oversubscribed or not.

### 5.2. Overview of Application and Admissions Process

5.2.1. On publication of the Admissions notice on the website, parents/guardians are asked to contact the school to obtain an Application Form from the school office or download one from the school's website. This form must be completed in full and all requested documentation must be included to be considered for admission. Applications will only be accepted for the following year of entry from the Opening Date specified in the School's Admissions Notice (normally the 1<sup>st</sup> October) onwards. The Application Form **must be** returned before the Closing Date for Applications for that particular year of entry. The closing date is set out in the annual Admissions Notice published on the school website.

5.2.2. Please note that applications for a new school year are accepted **ONLY AFTER** the Opening Date set in the School's Admissions Notice. Applications received before that date **WILL NOT BE CONSIDERED** and will be returned to the sender. Applications which are returned to a parent due to the application being received out of time can be appealed in accordance with the procedure set out at Section 18 below.

5.2.3. The school Principal will conduct an initial review of each application and will decide which applicants should be offered places. Decisions in relation to admissions to Setanta Special School are made by the Principal and can be reviewed by the Board of Management as set in Section 18 of this policy.

5.2.4. Please note that Setanta Special School does not have a particular intake group as many mainstream schools do. In our school, we accept applications from children aged between 12 and 18 each year. When an application is being considered, the appropriateness of a particular destination class is determined by the child's age, assessed cognitive and adaptive abilities and any other special needs of relevance.

5.2.5. Please note that subject to the school **not** being **oversubscribed** (i.e. that there are places available in the destination class considered appropriate to the applicant) the policy of the school is to admit all applicants

- whose special education needs fall within the categories of need catered for by the school, and
- who have submitted the appropriate documentation to establish this profile of special educational need, and
- who fulfil the Threshold criteria set out below at Section 5.7, and
- whose parents/guardians have confirmed that the Code of Behaviour of the school is acceptable to them and that they shall make all reasonable efforts to ensure compliance with the code by their child.

### *5.3. Initial School Visit*

Before making any application, the child's parents/guardians may wish to consider visiting the school so that they will be better able to decide on the suitability of the school for their child. Such a visit will not give their child any priority and is solely to allow the parents/guardians inform themselves better about the school.

### *5.4. Who can make an Application?*

Setanta Special School welcomes applications from parents/guardians. As the Constitution recognises parents as the primary educators of their child, applications will only be accepted from parents, legal guardians or someone acting on foot of a court order or statutory power in a parental role.

### *5.5. Steps in the Application and Admissions Process*

The following procedure will apply to all applications for placement in the School:



- a) Parents/guardians download a copy of the Admissions and Participation Policy and Application Form from the school website or obtain it from the School Office;
- b) Parents/guardians are asked to return the following:
  - i. Completed Application form;
  - ii. Full birth certificate;
  - iii. Two proofs of Address e.g. utility bill; household bill, etc.
  - iv. The most recent psychological assessment report (from within the last 24 months and which must contain a detailed recommendation from the Psychologist for the child to attend a special school with a statement from the Psychologist as to why a special school placement is necessary or advisable.);
  - v. Up to date reports and IEP from the child's present school/pre-school (from within the last 12 months) with the details of the learning and social development of the child and any behaviour issues of relevance;
  - vi. Any other professional reports available such as:
    - Psychiatric Assessment,
    - Speech & Language Assessment,
    - Occupational Therapy Report,
    - Social Work Report

**N.B All above reports generally should be from within 3 years of the date of application**

If **all** the documents listed at 5.5 (b)(i)- (vi) are not included with the application, the application will be deemed incomplete, will be returned to the child's parents/guardians and will not be considered.

- c) Following receipt of the Application form and submitted materials, the **Principal** will review each application as per the criteria as set out below. Each applicant will be assigned a destination class based on the child's age, cognitive and adaptive abilities and any other special educational needs of relevance. If **all** the documents listed at 5.5 (b)(i)- (vi) are not included with the application, the application will be deemed incomplete, will be returned to the child's parents and will not be considered.

- d) The Principal, having considered each application (in light of the Threshold Criteria and where applicable the criteria set out below in Section 6) will make a decision in respect of each application and shall decide which applicants should be offered places. The Assessment criteria used to rank applications in case of oversubscription are set out below in Section 6.
- e) If the Principal decides to admit a child, a letter of offer will be sent to parents along with the school's Code of Behaviour. This letter of offer will be issued within 21 days of the Closing Date for applications (or within 21 days of the receipt of the application, whichever is the later). The offer will be subject to parents providing written agreement for their child to adhere to the school's Code of behaviour and the other policies listed on the Application Form. If the Principal decides not to enrol a child the parents of the child will also be informed within 21 days and will be provided with reasons for non-admission as per Section 9 below. If the Principal has accepted the child for admission, the school will then inform the National Council for Special Education (NCSE) of the decision and seek its approval for the placement and its sanction for school transport. This process may take 4 to 6 weeks.
- f) If the Principal decides not to enrol a child the parents/guardians of the child will also be informed within 21 days and will be provided with reasons for non-admission.
- g) Parents/guardians will be requested to respond to the offer of a place by a specified date (failure to respond by that date will result in the offer lapsing) and will return to the school the completed application forms including the NCSE school transport and SNA support forms, if applicable;
- h) If the child meets the Threshold Criteria below but admission is refused due to there not being capacity in the destination class, parents/guardians will be informed that there is currently no place available and that their child will be placed on the Waiting List (See section 13). The school will advise the parents/guardians of the appeals procedure set out below.
- i) If the child does not meet the Threshold Criteria below, the parents/guardians will be advised that the school is formally declining a place to their child in the

school and will advise the parents/guardians of the appeals procedure set out below.

j) As noted above, all decisions in relation to admissions, including the assignment of a destination class to each application, eligibility under the school's criteria etc are made by the Principal. Decisions of the Principal to refuse an application for a place can be reviewed, on request, by the Board in accordance with Section 18 of this policy.

#### 5.6. Principles applying to the Application and Enrolment Process

Parents/guardians should note the following principles which apply to all applications for enrolment to the school:

- 5.6.1. Where possible, enrolment should take place at the beginning of the school year. In exceptional cases, consideration will be given to an application during the school year where a vacancy arises and there is no applicant listed on the waiting list for that particular class.
- 5.6.2. The receipt by the school of a completed Application Form or the placement of a child's name on a list, however early, does not confer an automatic right to a place in the school. The school does not operate its applications process on a first come, first served basis - each application will be considered on its merits and in light of the places available in the different classes in the school.
- 5.6.3. Siblings of students in the school are not automatically entitled to a place in the school.
- 5.6.4. Please note that **all reports** relating to a child which have been drafted by a psychologist, psychiatrist, behavioral therapist, pediatrician or other relevant medical practitioner (who has produced a report relating to the child's cognitive development, learning ability or educational development) within **the three years** preceding application **must** be provided to the school for assessment by the Principal. The withholding of reports from the school may invalidate an Admission Application at any time. If, after admission, it later becomes apparent that reports or relevant information has been withheld from the school, this may

result in an application being invalidated or, if it becomes apparent after admission, in the child involved losing their place in the school.

5.7. *Consideration of applications -*

Threshold Criteria for Consideration of Application:

Applications will only be considered where the appropriate professional's report included in the child's application confirms that the child has both

- an autism spectrum disorder as diagnosed by a Psychiatrist.
- a mild or moderate general learning disability with an IQ on standardised IQ Tests of 35 – 49 in the case of moderate GLD, or 50 - 69 in the case of mild GLD together with an adaptive ability in the mild or moderate range, as assessed by a Psychologist.

AND where **ALL** the following conditions are met:

1. The application form was fully completed and included all enclosures appropriate to the application.
2. The child is at least 12 years old and has not reached their 18th birthday on the 1<sup>st</sup> of September of the year of entry for the primary level classes.
3. The child will benefit from an autism-specific education programme and this is confirmed by the psychologist's report included in the child's application. The psychologist's report must also clearly recommend that the child should seek a placement in a special school.
4. The recommended destination class is suitable for the child in light of the child's age, cognitive and adaptive abilities and any other special educational needs of relevance.

5. The recommended destination class has not reached full capacity (ie. the class is not over-subscribed).
6. At least one of the assessment reports provided is from the last 12 months and all of the assessment reports are from within 3 years of the date of application.
7. That there is **no** evidence from previous school reports or from the assessment reports that the student has been expelled from a previous school for behavior that caused injury to others.
8. The child's primary diagnosis is not one of Emotional and Behavior Disorder.

#### *5.8. Provision of and availing of clinical services*

5.8.1. When the successful applicants have accepted places and all places have been allocated, the School Principal will request additional information from Parents/Guardians relating to confirmation of the registration and provider of clinical services for the child. Parents/Guardians are advised that the HSE does not provide this information to schools. Therefore, the Parents/Guardians must ensure that they are able to provide this information when it is sought by the school.

5.8.2. Parents/Guardian should also note that the Setanta Special School Code of Behaviour states that the school considers it of the utmost importance for all parents/guardians of pupils to avail of clinical services wherever possible.

#### *5.9. Exceptional Circumstances warranting refusal of an admission*

Even where the child would otherwise be eligible for admission, the school reserves the right to refuse admission to a pupil in exceptional cases. Such an exceptional case could arise where either:

5.9.1. The child has special needs such that, even with additional resources available from the Department of Education and Skills and/or the NCSE, the school cannot meet such needs and/or provide the pupil with an appropriate education;

5.9.2. The Board of Management is of the view, based on available professional reports, that the child poses an unacceptable risk to self or other pupils, to school staff or to school property.

5.9.3. The child has previously been expelled from Setanta Special School or any other school in circumstances where the Principal/Board of Management feels that placement in Setanta Special School would not be appropriate for the child.

## **6. Oversubscription**

In the event that the school is oversubscribed, the school will, when deciding on applications for admission, apply the following selection criteria in the order listed below to those applications received within the timeframe for receipt of applications as set out in the school's annual admission notice.

### *6.1. Priority of Applications*

Where the destination class is oversubscribed, places will be offered each September to qualifying applicants (i.e. those who meet all the Threshold Criteria) based on their age, with the oldest applicants ranking first in priority for places in each destination class.

6.2. It may occasionally occur that a child requires such additional physical space, resources or staffing support that that child effectively requires the equivalent of two or more places in that class. This may correspondingly reduce the number of other places available or may mean that even where the Principal/Board has identified a class grouping as having two available places, that class would now be full in light of that child's needs. Such a circumstance is likely to be rare but it is within the discretion of the Principal /Board to limit class size where required for safety or educational reasons.

6.3. If there is no place available for a qualifying child in the assigned class then the application will be refused and the child will be offered a place on the waiting list (with applicants being ranked in order from oldest to youngest, with older applicants being placed higher on the waiting list. If there is a place available in a particular class and there are a number of applicants for the same place, then the Principal will rank each such application in accordance with their age and applicants will be offered any available places based on their age with older applicants getting priority and with unsuccessful applicants being placed on the waiting list in order of their decreasing age i.e. with older applicants being placed higher on the waiting list)

6.4. In the event of two or more children who are candidates for the same place having the same date of birth, the children's names will be picked at random by an independent person (who is not on the Board or connected with any person applying for a place in the school) and the first such name picked will

be offered the place. Unsuccessful applicants with the same date of birth will be placed on the Current Year Waiting List for the destination class in the order that they are picked at random by the independent person referred to above



## **7. What will not be considered or taken into account**

In accordance with section 62(7)(e) of the Education Act, the school will not consider or take into account any of the following in deciding on applications for admission or when placing a student on a waiting list for admission to the school:

- (a) a student's prior attendance at a pre-school or pre-school service, including naíonraí,
- (b) the payment of fees or contributions (howsoever described) to the school;
- (c) a student's academic ability, skills or aptitude other than to ascertain whether or not the student has the category of special educational needs catered for by Setanta Special School
- (d) the occupation, financial status, academic ability, skills or aptitude of a student's parents/guardians;
- (e) a requirement that a student, or his or her parents/guardians, attend an interview, open day or other meeting as a condition of admission;
- (f) a student's connection to the school by virtue of a member of his or her family attending or having previously attended the school,
- (g) the date and time on which an application for admission was received by the school,

## **8. Decisions on applications**

8.1. Each application will be reviewed and assessed by the **Principal** in accordance with the criteria set out above. The **Principal** will make a decision in respect of each application.

8.2. All decisions on applications for admission to Setanta Special School will be based on the following:

- Our school's admission policy
- The school's annual admission notice (where applicable)
- The information provided by the applicant in the school's official application form (together the documentation submitted therewith) received during the period specified in our annual admission notice for receiving applications
- The application of the assessment criteria as set out in this policy.

8.3. Please see section 14 below in relation to applications received outside of the admissions period and section 15 below in relation to applications for places in years other than the “intake group”.

8.4. Selection criteria that are not included in our school admission policy will not be used to make a decision on an application for a place in our school.

## **9. Notifying applicants of decisions**

9.1. Applicants will be informed in writing as to the decision of the school, within the timeline outlined in the annual admissions notice.

9.2. If a student is not offered a place in our school, the reasons why they were not offered a place will be communicated in writing to the applicant, including, where applicable, details of the student’s ranking against the selection criteria and details of the student’s place on the waiting list for the school year concerned.

9.3. Applicants will be informed of the right to seek a review/right of appeal of the school’s decision (see section 18 below for further details).

## **10. Acceptance of an offer of a place by an applicant**

In accepting an offer of admission from Setanta Special School, you must indicate—

(i) whether or not you have accepted an offer of admission for another school or schools. If you have accepted such an offer, you must also provide details of the offer or offers concerned and

(ii) whether or not you have applied for and awaiting confirmation of an offer of admission from another school or schools, and if so, you must provide details of the other school or schools concerned.

## **11. Circumstances in which offers may not be made or may be withdrawn**

An offer of admission may not be made or may be withdrawn by the Principal or Board of Management of Setanta Special School where—

- (i) it is established that information contained in the application is false or misleading (including through the omission of any medical or psychological report, or the submission of out of date or inaccurate reports).
- (ii) an 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.
- (iii) the parent of a student, when required by the Principal in accordance with section 23(4) of the Education (Welfare) Act 2000, fails to confirm in writing that the code of behaviour of the school is acceptable to him or her and that he or she shall make all reasonable efforts to ensure compliance with such code by the student; or
- (iv) an applicant has failed to comply with the requirements of 'acceptance of an offer' as set out in section 10 of this policy above.
- (v) The school has been designated by the National Council for Special Education or the Child and Family Agency under S.67 of the Education Act, 1998 (when commenced) to admit a particular child and the only way to comply with the designation is to withdraw an offer of a place to another child.

## **12. Sharing of Data with other schools**

Applicants should be aware that section 66(6) of the Education (Admission to Schools) Act 2018 allows for the sharing of data between schools in order to facilitate the efficient admission of students. Section 66(6) allows a school to provide a patron or another board of management with a list of the students in relation to whom—

- (i) an application for admission to the school has been received,
- (ii) an offer of admission to the school has been made, or
- (iii) an offer of admission to the school has been accepted.

The list may include any or all of the following:

- (i) the date on which an application for admission was received by the school;
- (ii) the date on which an offer of admission was made by the school;
- (iii) the date on which an offer of admission was accepted by an applicant;
- (iv) a student's personal details including his or her name, address, date of birth and personal public service number (within the meaning of section 262 of the Social Welfare Consolidation Act 2005).

### **13. Waiting list in the event of oversubscription**

In the event of there being more applications to the school year concerned than places available, a waiting list of students whose applications for admission to Setanta Special School were unsuccessful due to the school being oversubscribed will be compiled and will remain valid for the school year in which admission is being sought. Placement on the waiting list of Setanta Special School is in the order of priority assigned to the students' applications after the school has applied the selection criteria in accordance with this admission policy.

Offers of any subsequent places that become available for and during the school year in relation to which admission is being sought will be made to those students on the waiting list, in accordance with the order of priority in relation to which the students have been placed on the list.

#### *13.1. Waiting List*

13.1.1. Where a place is not available for a particular child who otherwise meets the Threshold Criteria listed above in Section 5.7 and the Principal/Board of Management is refusing to enrol the child in a particular class, the child will be placed on the Waiting List.

13.1.2. The Waiting List will operate for one school year. It will run until the end of the Academic Year for which the offers were made in that Applications Process. **On the last of day in June of each year, the Waiting list will cease to operate.**

- 13.1.3. If a child is entered on the Waiting List for a particular academic year, this will not give them any priority for entry in the academic year commencing the following September. A new application for the child will be required for the following academic year. His/her application will be processed again under the Admissions and Participation Policy.
- 13.1.4. The child will be listed on the Waiting List only in respect of the class for which his/her application was considered (the destination class) and each child will be listed on that Waiting List in the order of their ranking according to Section 6 above. If a place becomes available during the Academic Year in the destination class, the place will be offered first to qualifying children in the order they are listed on the school's Waiting List for that class and only after that to children who make Mid -Year Applications (see section 15.2 below).
- 13.1.5. Parents should note that, if during the academic year in question a child on the Waiting List ceases for any reason to meet all the Threshold Criteria, the child will be removed from the Waiting List and will be formally refused a place in the school.

#### **14. Late Applications**

All applications for admission for a particular academic year received after the Closing Date for that year will be considered in accordance with our school's admissions policy, the Education (Admissions to School) Act 2018 and any regulations made under that Act. Applicants should note that the school is usually heavily oversubscribed and any such places that are available will normally be allotted to applications received before the Closing Date. Late applications will therefore most likely be waitlisted (assuming they meet the Threshold Criteria referred to above). Where a place is not available for late applications which meet the Threshold criteria above, the applicant(s) will be placed at the end of the Waiting List. Late Applications which do not meet the Threshold Criteria above will be refused and the parents/guardians informed of their rights of appeal/review set out below in Section 18.

#### **15. Procedures for admission of students to other years and during the school year**

15.1. The procedures of the school in relation to the admission of students who are not already admitted to the school to classes or years other than the school's intake group are as follows:

15.1.1. Setanta Special School is a special school, and as such it does not have a particular intake group as many mainstream schools do. In our school, we accept applications from children aged between 12 and 18 each year for the primary level. When an application is being considered, the appropriateness of a particular destination class is determined by the child's age, assessed cognitive and adaptive abilities and any other special needs of relevance.

15.2. The procedures of the school in relation to the admission of student who are not already admitted to the school, after the commencement of the school year in which admission is sought, are as follows:

All applications for admission for a particular academic year received after the start of the academic year will be treated as a Mid-Year Application for that year and will be considered in accordance with our school's admissions policy, the Education (Admissions to School) Act 2018 and any regulations made under that Act. Applicants should note that the school is usually heavily oversubscribed and there are rarely if ever any vacancies during the school year. Vacancies are normally filled from a waiting list operated by the school in accordance with the procedures above. Mid-year applications will therefore most likely be waitlisted (assuming they meet the Threshold Criteria referred to above) for the academic year in question. Mid-year applications which meet the Threshold criteria above will be placed at the end of the Waiting List. Mid-year applications which do not meet the Threshold Criteria above will be refused and the parents/guardians informed of their rights of appeal/review set out below in Section 18.

## **16. Declaration in relation to the non-charging of fees**

The Board of Management of Setanta Special School or any persons acting on its behalf will not charge fees for or seek payment or contributions (howsoever described) as a condition of-

- (a) an application for admission of a student to the school, or
- (b) the admission or continued admission of a student in the school.

## 17. Arrangements regarding students not attending religious instruction

Setanta Special School does not provide formal religious instruction .

## 18. Reviews/appeals

### 18.1. Review of decisions by the Board of Management

18.1.1. The parent of the student may request the board to review a decision to refuse admission. Such requests must be made in accordance with Section 29C of the Education Act 1998.

18.1.2. The timeline within which such a review must be requested and the other requirements applicable to such reviews are set out in the procedures determined by the Minister under section 29B of the Education Act 1998 which are published on the website of the Department of Education and Skills.

18.1.3. The Board will conduct such reviews in accordance with the requirements of the procedures determined under Section 29B and with section 29C of the Education Act 1998.

18.1.4. **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.

18.1.5. 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.

### 18.2. Right of appeal

18.2.1. Under Section 29 of the Education Act 1998, the parent of the student may appeal a decision of this school to refuse admission.

18.2.2. An appeal may be made under Section 29 (1)(c)(i) of the Education Act 1998 where the refusal to admit was due to the school being oversubscribed.

18.2.3. An appeal may be made under Section 29 (1)(c)(ii) of the Education Act 1998 where the refusal to admit was due a reason other than the school being oversubscribed.

18.2.4. 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. (see Review of decisions by the Board of Management)

18.2.5. 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. (see Review of decisions by the Board of Management)

18.2.6. Appeals under Section 29 of the Education Act 1998 will be considered and determined by an independent appeals committee appointed by the Minister for Education and Skills.

18.2.7. The timeline within which such an appeal must be made and the other requirements applicable to such appeals are set out in the procedures determined by the Minister under section 29B of the Education Act 1998 which are published on the website of the Department of Education and Skills.



## **19. Progression at the School and continued participation in the School.**

While it is envisaged that, once admitted, most students will remain in Setanta Special School until they complete their education at 18 years of age, a child's ongoing participation at Setanta Special School is contingent upon certain conditions:

19.1. The parent continues to adhere to the Code of Behaviour commitment given on admission

19.2. Some children's needs may change overtime and exceed what the school can cater for.

19.3. If at any point during the child's time in the school, a psychiatrist or psychologist assesses the child and confirms in writing that:

- a) allowing the child to remain may result in adverse educational outcomes for the child or other children in the school, or
- b) if the child applied for admission to the school now, he or she would not meet the above requirements of this policy, particularly in terms of the child's primary diagnosis, presence of Emotional and Behavioural Disorder as a primary diagnosis or the absence of a moderate general learning difficulty,

After engaging in consultation with the parent(s)/guardian(s) and having reviewed the assessment report of the professional in question, the Board of Management may decide to remove the child's name from the school roll and offer the child's place to another child.

19.4. If at any point during the child's time in the school, the Principal recommends to the Board of Management that a child enrolled in the school be sent for an assessment of the type referred to in paragraph 19.3, the Board shall seek the parent's consent for this assessment. If this consent is not forthcoming the Board may have to take a decision without the benefit of such a report and may proceed to as per paragraph 19.6 below.

19.5. The report of the professional conducting the assessment will be furnished to the parents/guardians. They will be given an opportunity to respond to it and, if appropriate, to obtain a report from another appropriate professional responding to the report. Any responding report or parental response must be provided within 6 weeks of the school notifying the parents/guardians of the commencement of this process.

- 19.6. The Board of Management will also ask the Principal for a detailed report setting out her/his recommendations.
- 19.7. All available reports (including the Principal's report) will be considered by the Board at a meeting. The parents/guardians of the child will also be provided with a copy of the Principal's report and will have the opportunity to address the Board at that meeting before the Board retires to take its decision in private. The parents/guardians will be notified of the Board's decision within 5 school days of the Board meeting to consider the reports.
- 19.8. The Board may decide to
- 19.8.1. allow the child to continue to participate in and be enrolled in the school for a specified period before the child's needs are reviewed again,
  - 19.8.2. allow the child to continue to participate and be enrolled in the school until they reach the age of 12 and would no longer be enrolled.
  - 19.8.3. Dis-enrol the child by removing their name from the school roll and offering the child's place to another child.
- 19.9. As dis-enrolment would involve the permanent exclusion of the child in accordance with S.29(1)(a) of the Education Act 1998, the child's parents/guardians may appeal this to the Department of Education and Skills within 42 days of the date of the decision to dis-enrol the child.
- 19.10. Where a child is being dis-enrolled from the school, the school will make every effort to support families to make the transition to another placement.

**Reviewed: 17/10/23**

**Ratified by the Board of Management:**

**Chairperson: John Keppel**