



kcetb

Bord Oideachais agus Oiliúna
Chill Chainnigh agus Cheatharlach
*Kilkenny and Carlow
Education and Training Board*

ADMISSIONS POLICY TYNDALL COLLEGE TO SCHOOL YEAR 2022-2023

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 Tyndall College is responsible for the implementation of this Admission Policy.



Introduction to Tyndall College

Tyndall College was established in May 2017

Mission Statement

“Tyndall College provides excellent second level education in a student-centered, co-educational environment. It is our intention to lead students on their journey to reach their individual potential and to encourage them to make a positive contribution to society.”

School Motto

“ Everyone is Welcome Here ”

Geographical location

Tyndall College is located in Carlow Town.

About Tyndall College

Tyndall College is a post-primary school under the patronage of Kilkenny and Carlow Education and Training Board. We are a co-educational, multi denominational school.

School Size

There are currently 841 students enrolled in Tyndall College.

Curricular programmes

Leaving Certificate Established, Leaving Certificate Vocational Programme, Leaving Certificate Applied, Transition Year, Junior Cycle, Junior Cycle Schools Programme (JCSP), Autism Spectrum Disorder Class x 3, Moderate General Learning Difficulty Class x 1, Behaviour For Learning Programme/ Social Emotional Learning Support.

Extra-Curricular Opportunities

Wide range of extra-curricular sports, green schools, Gaelbhreach, School Musical, Global Citizenship.

TABLE OF CONTENTS

PART A – *General Information for All Applicants*

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

PART B - *Information for Specific Categories of Applicants*

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

PART A

General Information for All Applicants

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

1 Glossary of Terms

‘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 Tyndall College.

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

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

‘Gender’, in line with the definition of “*the gender ground*” in the Equal Status Act 2022, is such that” *one 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 for application to all classes other than the special classes in Tyndall College in respect of the person on whose behalf the application is being made. The catchment area for Tyndall College is defined as: Carlow Town, Tinryland, Ballinabranna, Killeshin

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

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

- 1.1. Educate Together NS, Athy Road, Carlow;
- 1.2. St. Fiaccs NS, Graiguecullen, Carlow;
- 1.3. Askea BNS, Askea, Carlow;
- 1.4. Askea GNS, Askea, Carlow
- 1.5. Gaelscoil Cheatharlach, Ashgrove, Carlow
- 1.6. Bishop Foley NS, Station Road, Carlow
- 1.7. Scoil Mhuire Gan Smál, Green Lane, Carlow
- 1.8. Fr Cullen Memorial School, Tinryland, Carlow

- 1.9. Benekerry Ns, Benekerry, Carlow
- 1.10. Ballinabranna NS, Ballinabranna, Carlow
- 1.11. Kileshin NS, Killeshin, Co.Carlow
- 1.12. Carlow National School, Green Road, Carlow

Sibling

For the purpose of the selection criterion relating to the student having a sibling who previously attended Tyndall College (Not Carlow Vocational School) **‘Sibling’** refers to full sibling, half -sibling, foster-sibling 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.

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 and Skills, been established by a school to provide an education exclusively for Students with a category or categories of special educational needs specified by the Minister of Education and Skills . Tyndall College has Special Classes, established to cater for special educational needs of sstudents with Autism/Autistic Spectrum Disorders, Moderate General Learning Disability.

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

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

2. Admission Statement.

Tyndall College, under the patronage of Kilkenny & Carlow Education & Training Board is a state, co-educational, multi-denominational post-primary school underpinned by the core values of:

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

As the state provider of education, the ETB sector defines a 'multidenominational' school in the following way:

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



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

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

Accordingly, Tyndall College shall not discriminate in its admission of a Student based on the following grounds:

- 2.1. Gender of the Student or Applicant. However, where a school admits students of one sex only, it is not discriminatory to refuse to admit Students of any other sex;
- 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)]

Tyndall College shall not charge fees or payments or seek contributions as a condition of admission or continued enrolment of a Student.

3. Legal Framework

KCETB 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 Tyndall College is a committee established under section 44 of the Education and Training Board Act 2013 and also constitutes a board of management within the meaning of the Education Act 1998.

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

The Education Act, 1998 provides for an appeal process in the event of a refusal to enrol. The appeal process is set out in section 5.4 in respect of applications made to the First-Year group and in section 6.4 in respect of applications made to all year other than the First-Year group.

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 Tyndall College **shall not consider**:

- 4.1 The payment of fees or contributions to the school;
- 4.2 A Student's academic ability, skills or aptitude; unless:
 - it is necessary to ascertain whether or not the Student has the category of special educational needs concerned for admission to a school approved by the Minister of Education and Skills providing education exclusively to Students with a specified category of special educational needs or a special class;
- 4.3 The occupation, financial status, academic ability, skills or aptitude of a 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.
- 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 admissions notice.

Tyndall College 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 and Skills in respect of that class.

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

Section 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 Classes*

SECTION 5

Application to the First-Year Group

5 Application to the First-Year Group

5.1 Admission Provisions (First-Year group)

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

5.2 Appeals

- 5.2.1.** Appeal where refusal was due to oversubscription
- 5.2.2.** Appeal where refusal was for a reason other than oversubscription
- 5.3.3.** Basis for a review by the board of management

5.1 Admission Provisions (First Year Group)

Where Tyndall College is not oversubscribed, all Students will be offered a school place, subject to sections 4.7, 4.8 and 4.9.

A Student applying for the First Year Group but seeking admission to the Special Class should see section 7 of this Admissions 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 is also applicable.

5.1.1 Oversubscription

When the number of applications exceeds the number of places available, the published selection criteria as set out at section 5.1.2 below will apply and a waiting list shall be compiled which shall remain valid for the school year in respect of which the applications are made. Where Tyndall College is in a position to offer further school places that become available for and during the school 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 provision 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

Tyndall College will apply the following criteria for admission to the First-Year Group:

- 5.1.2.1 If the Student resides in the catchment area;

- 5.1.2.2 If the Student has siblings currently enrolled in the school;
- 5.1.2.3 If the Student had siblings previously enrolled in the school;
- 5.1.2.4 If the Student's parent(s) or grandparent(s) are a current staff member;
- 5.1.2.5 Whether the Student attended feeder primary schools listed in Sections 1.1 to 1.12 of this policy;

5.1.3 Selection process

Tyndall College will apply the selection process as follows:

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

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

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 reduced¹.

5.1.4 Late applications

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

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.*"

Where Tyndall College is oversubscribed and receives a late application for admission, same will receive a place on the waiting list beneath Applicants whose applications were received by Tyndall College before the closing date for applications. Such applications will be placed on the waiting list in accordance with the date and time they were received by Tyndall College subject to sections 4.7 and 4.9 and subsequently Tyndall College's selection criteria will be applied in accordance with this Policy.

Where Tyndall College is not oversubscribed and it receives a late application, the Student seeking admission will receive an offer of a place within Tyndall College subject to sections 4.7, and 4.9 and the same process as applies to Applicants whose applications were received before the closing date will be operated *i.e.* an Acceptance Form will be issued to the Applicant for completion and return to the school within 2 weeks of issue.

5.1.5 Second/third-round offers of a place

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

5.1.6 Acceptance of a place

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

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

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

5.1.7 Refusal:

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

The reasons that the Student was not offered a place in Tyndall College.

5.1.7.1 The reasons that the Student was not offered a place in Tyndall College

5.1.7.2 Details of the Student's ranking against the published selection criteria,

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.

5.1.8 Withdrawal of an offer

An offer of admission may be withdrawn where:

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

5.1.8.2 The Applicant fails to confirm acceptance of an offer of admission on or before the date set out in the annual admission notice of the school for the 2021/2022 academic year, or in the case of a late application, or second/third-round offer, within 2 weeks, or

5.1.8.3 An Applicant has not indicated:

- (i) whether or not s/he has applied for and is awaiting confirmation of an offer from another school(s) and if so, the details of the school(s);
and
- (ii) whether or not s/he has accepted an offer of admission from another school(s) and if so, the details of the offer(s).

5.1.9 Appeals

For information relating to an Applicant's right to appeal a decision of Tyndall College regarding admission to the First-Year group, see section 6.3.

SECTION 6

Application to All Year Groups Other Than First-Year

Application to All Year Groups Other Than First- Year

6.1 Admission Provisions (other than First-Year)

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

6.3 Appeals

- 6.3.1 Appeal where refusal was due to oversubscription
- 6.3.2 Appeal where refusal was for a reason other than oversubscription
- 6.3.3. Basis for a review by the Board of Management

6.1 Admission Provisions (Other Than First-Year)

Where Tyndall College is not oversubscribed, all Students will be offered a school place, subject to sections 4.7, and 4.9.

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 Admissions 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.

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 for the school year in respect of which the applications are made. Where Tyndall College is in a position to offer further school places that become available for and during the school 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 provision of section 7.1.1 regarding the Special Class.

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

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 Tyndall College is/are oversubscribed, a Student applying for admission to such programm(es) 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 this/these programm(es).

6.1.2 Selection criteria in order of priority

Tyndall College will apply the following criteria for admission:

- 6.1.2.1 If the Student resides in the catchment area;
- 6.1.2.2 If the Student has siblings currently enrolled in the school;
- 6.1.2.3 If the Student had siblings previously enrolled in the school;
- 6.1.2.4 If the Student's parent(s) or grandparent(s) are a current staff member;
- 6.1.2.5 Whether the Student attended feeder primary schools listed in Sections 1.1 to 1.12 of this policy;

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

Tyndall College will apply the selection process as follows:

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

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

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

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

N.B. The number of places available in a 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 reduced².

6.1.4 Late applications:

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

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

Where Tyndall College is not oversubscribed and it receives a late application, the Student seeking admission will receive an offer of a place within Tyndall College subject to sections 4.7, 4.8 and 4.9. and the same process as applies to Applicants whose applications were received before the closing date will be operated *i.e an* Acceptance Form will be issued to the Applicant for completion and return to the school within 2 weeks of issue

6.1.5 Second/third-round offers of a place

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

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.

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.*"

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

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

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:

- 6.2.7.1. The reasons that the Student was not offered a place in Tyndall College.
- 6.2.7.2. Details of the Student's ranking against the published selection criteria.
- 6.2.7.3. Details of the Student's place on the waiting list, if applicable
- 6.2.7.4. Details of the Applicant's right to appeal the decision

6.2.8 Withdrawal of an offer

An offer of admission may be withdrawn where:

- 6.2.7.5. The information contained in the application is false or misleading in a material respect, or
- 6.2.7.6. 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, or in the case of a late application, or second/third-round offer, within 2 weeks, or
- 6.2.7.7. An Applicant has not indicated:
 - (i) whether or not s/he has applied for and is awaiting confirmation of an offer from another school(s) and if so, the details of the school(s);
 - and
 - (ii) whether or not s/he has accepted an offer of admission from another school(s) and if so, the details of the offer(s).

6.2.9 Appeals:

For information relating to an Applicant's right to appeal a decision of Tyndall College regarding admission to other year groups see section 6.3.

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 on the school's website, for it to be reviewed by the board of management of Tyndall College. Such a review must be sought by the Applicant within twenty-one calendar days of the school's decision to refuse to admit. However, if a different time period for the bringing of such an appeal is specified by the Minister for Education after the publication of this Policy, same shall apply instead. Completed BOMR1 Forms should be submitted to the school office or online by emailing tyndall.info@kilkennycarlowetb.ie

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

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.

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

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

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

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

6.3.3 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(es)

7 Application to the Special Classes

7.1 Admission Provisions for the Special Classes

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

2. Appeals

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

7.1 Admission Provisions for the Special Class(es)

Tyndall College has Special Classes, established to cater for the special educational needs of Students with Autism/Autistic Spectrum Disorders and Moderate General Learning Disability.

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

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

7.1.1 **Oversubscription:**

When the number of applications exceeds the number of places available, the published selection criteria as set out at section 7.1.2 below will apply and a waiting list shall be compiled which shall remain valid only for the school year in respect of which the applications are made. Where Tyndall College is in a position to offer further places that become available in the Special Class for and during that academic year, places will be offered in accordance with the order of priority in which Students have been placed on the waiting list subject to there being a place in the relevant mainstream year group. If there is not a place available in the relevant year group, the next person on the waiting list for the Special Class will be considered for the place in question but this will not change the initial Student's place on the waiting list for the Special Class for the remainder of that school year, *i.e.* if another place subsequently became available in the Special Class during that school year, the initial Student at the top of the waiting list would be considered first, but again subject to there being a place in the relevant year group for that Student.

For clarity, 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** If the Student resides in the catchment area;
- 7.1.2.2** If the Student has siblings currently enrolled in the school;
- 7.1.2.3** If the Student has siblings previously enrolled in the school;
- 7.1.2.4** If the Students parents or grandparents are a current staff member;
- 7.1.2.5** Whether the Student attends feeder primary schools listed in section 1.1 to 1.12

7.1.3 Selection process:

Tyndall College will apply the selection process as follows:

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

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

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

7.1.4 Late applications:

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

Where Tyndall College is oversubscribed and receives a late application for admission, that application will receive a place on the waiting list beneath Applicants whose applications were received by the school before the closing date for applications. Such late applications will be placed on the waiting list in accordance with the date and time they were received by the school, subject to sections 4.7, and 4.9

Where Tyndall College is not oversubscribed and it receives a late application, the Student seeking admission will receive an offer of a place within Tyndall College subject to sections 4.7, 4.9 and the same process as applies to Applicants whose applications were received before the closing date will be applied *i.e.* an Acceptance Form will be issued to the Applicant for completion and return to the school within 2 weeks of issue.

7.1.5 Second/third-round offers of a place

Where a Student is in receipt of an offer of a place within Tyndall College but does not accept the offer, or the school withdraws the offer in line with the relevant provisions of this Policy, the place will be offered to the next Student on the waiting list in a second-round of offers. This process will continue throughout third and

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.*”

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 offered a place in Tyndall College;
- 7.1.7.2 Details of the Student's ranking against the published selection criteria, if the year group to which the applicant is applying is oversubscribed;
- 7.1.7.3 Details of the Student's place on the waiting list, if applicable; and
- 7.1.7.4 Details of the Applicant's right to appeal the decision

In addition to the conditions for consideration of an application as set out at 4.7, and 4.9, an offer of admission may not be made where:

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

7.1.8 Withdrawal of an offer

An offer of admission may be withdrawn where:

- 7.1.8.1 The information contained in the application is false or misleading in a material respect, or

7.1.8.2 The Applicant fails to confirm acceptance of an offer of admission on or before the date set out in the annual Admission Notice of the school for the academic year for which s/he is applying, or in the case of a late application, or second/third-round offer, within 2 weeks, or

7.1.8.3 An Applicant has not indicated:

- (i) whether or not s/he has applied for and is awaiting confirmation of an offer from another school(s) and if so, the details of the school(s);
and
- (ii) whether or not s/he has accepted an offer of admission from another school(s) and if so, the details of the offer(s).

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

7.2 Appeals

7.2.1. **Appeal where refusal was due to oversubscription:**

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

If an Applicant is not satisfied with the decision of the board of management, or the board of management is not in a position to review the decision to refuse admission, the Applicant may apply to bring an appeal to an Appeals Committee established by the Minister for Education under section 29A of the Education Act 1998. Appeals must be made in writing on a 'Section 29 Appeal Form' and must be submitted to the Section 29 Appeals Administration Unit in the Department of Education. The 'Section 29 Appeal Form' may be downloaded from the Department's website or may be obtained directly from the Section 29 Appeals Administration Unit in the Department of Education. Contact details for the Unit are available on the

Department's website. As per the Department of Education's '*Procedures for hearing and determining appeals under section 29*', such an appeal must not be brought until the Applicant has received correspondence from the board of management in relation to the review, or until 42 calendar days have passed since the date of initial refusal and may not be brought later than 63 calendar days after the initial decision to refuse admission.

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

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

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

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

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

As required by section 29C(2) of the Education Act 1998, any request for the board of management to review a decision of the school to refuse admission must be based on the implementation of this Admission Policy,



the content of the school's Admission Notice and also set out the grounds of the request to review the decision.

Appendix A BOMR1

Review by Tyndall College Board of Management Request Form – Refused Admission

PLEASE ENSURE THAT YOU KEEP A COPY OF THIS COMPLETED FORM

The completed form must be submitted to the board of management **within 21 calendar days** from the date of the decision to refuse admission to the school.

PLEASE USE BLOCK CAPITALS TO COMPLETE THIS FORM

1. School name: _____

2. School address: _____

3. Name of the applicant (parent(s)/guardian(s) or student if student is over 18):

4. Address of the applicant: _____

_____ Eircode: _____

5. Contact phone number: _____

6. Name of student: _____

7. Address of student (if different from address given above):

8. Date of birth of student: _____

9. Class/Year to which admission has been sought (eg. Junior infants, 1st Year, name of special class):

10. Date of decision to refuse admission: _____

11. Grounds for making this request – **Note: this request must be based on the implementation of the school's admission policy and the content of the school's annual admission notice. In that regard please specify why you consider that the school's admission policy and/or admission notice were not applied correctly to your application for admission:**

Signature of applicant: _____

Date: _____

Note: All requests for a review by a board of management must be returned directly to the school by the applicant and should be addressed to The Board of Management at the school's address.

Ratified by Tyndall College Board of Management at Board Meeting _____

SIGNED: _____
CHAIRPERSON

DATE: _____

SIGNED: _____
SECRETARY

DATE: _____