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## **ADMISSIONS POLICY**

# **Mallow Community National School**



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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 Mallow Community National School is responsible for the implementation of this Admission Policy.

## **Introduction to Mallow Community National School**

Mallow Community National School (CNS) is a multi-denominational, co-educational vertical Primary School, under the patronage of Cork Education and Training Board. Mallow CNS was established in 2014 and moved into a brand-new school building in January 2018. Mallow CNS is located in Kingsfort Avenue, Castlepark Estate, Mallow.

### **Mission**

Our mission is to provide a new model of primary education that reflects Ireland in the 21st Century. We welcome each child in the community we serve and aim to provide a high standard of education in a setting of diversity and inclusion. We aim to promote the full and harmonious development of all aspects of the child: intellectual, physical, cultural, moral and spiritual.



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## **PART A**

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

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



## 1. GLOSSARY OF TERMS

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**‘Applicant’** means the parent / guardian of a Child who has made an application for admission to Mallow CNS

**‘Catchment Area’** refers to the designated residential area for application to Mallow CNS in respect of the person on whose behalf the application is being made. The catchment area for Mallow CNS is defined as: see map in Appendix A.

**‘Child’/ ‘Student’** means the person in respect of whom the application is being made. All uses of the word ‘Student’ 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 Mallow Community National School; a person is only regarded as a student of Mallow Community National School once s/he is enrolled on his/her first day of attendance. This term does not include a person formerly enrolled in the school and who was permanently excluded or who left the school after being recommended for expulsion by the board of management.

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

**‘Sibling’** means brother/ sister or stepbrother/stepsister who is resident at the same address as the child

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

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

**‘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. Mallow CNS has two Special Classes, established to cater for special educational needs of students with Autism/Autistic Spectrum Disorders.

**‘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 professionals, HSE disability services or HSE multi-disciplinary team



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staff, in line with guidance issued by the NCSE on this point. The report must confirm the diagnosis of the Student as well as make a recommendation that the Student be placed in a Special Class.

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



## 2. ADMISSION STATEMENT

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Mallow Community National School is a Cork ETB school. ETB schools are state, multi denominational, co-educational schools underpinned by the core values of:

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



As the State provider of education, the ETB sector defines a ‘multi denominational’ 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, Mallow CNS shall not discriminate in its admission of a Child based on the following grounds:

- 2.1. Gender of the Child or Applicant.
- 2.2. Civil status of the Applicant;
- 2.3. Family status of the Child or Applicant;



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- 2.4. Sexual orientation of the Child or Applicant;
- 2.5. Religion of the Child or Applicant;
- 2.6. Disability of the Child or Applicant;
- 2.7. Race of the Child or Applicant;
- 2.8. The Child's or Applicant's membership of the Traveller community;
- 2.9. Special educational needs of the Child or Applicant. However, where the school provides education exclusively for a category or categories of special educational need(s) in a Special Class, it is not discriminatory to refuse to admit to that class a Child who does not have the specified special educational need(s).

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

### **3. LEGAL FRAMEWORK**

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Cork ETB was established under the Education and Training Board Act 2013 which sets out the functions of all ETBs, including establishing and maintaining recognised schools, centres for education and education and training facilities in each ETB's functional area.

The board of management of Mallow CNS is a committee established under section 44 of the Education and Training Board Act 2013 and also constitutes a board of management within the meaning of the Education Act 1998.

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

The Education Act, 1998 provides for an appeal process in the event of a refusal to enrol. The appeal process is set out in section 5.2 in respect of applications made to the Junior Infant group and in section 6.2 in respect of applications made to all classes other than the Junior Infant group.

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

Religious instruction is a term used in Ireland to indicate instruction in accordance with the rites, practices and teachings of a particular religion or denomination for pupils of that religious tradition. Community National Schools deliver a 'multi-belief and values education' curriculum called 'Goodness Me! Goodness You!' (GMGY). This curriculum is designed to cater for children of all religions and beliefs attending the school.

Mallow Community National School will cooperate with the National Council for Special Education in the performance by the Council of its functions under the Education for Persons with Special Educational Needs Act 2004 relating to the provision of education to children with special educational needs, including in particular by the provision and operation of a special class or classes when requested to do so by the Council.

Mallow Community National School will comply with any direction served on the patron or the board, as the case may be, under section 37A and any direction served on the board under section 67(4B) of the Education Act.





#### **4. GENERAL ADMISSION PROVISIONS**

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

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

If, prior to the commencement of section 62 of the Education Act 1998 by the Education (Admission to Schools) Act 2018 on the 1<sup>st</sup> February 2020, Mallow CNS had confirmed, in writing, that an Applicant had been placed on a list relating to the allocation of school places for entrance before the 1<sup>st</sup> February 2025, then this confirmation is still valid and the Applicant will be offered that place.

In processing an application Mallow CNS **shall not consider**:

- 4.1 The payment of fees or contributions to the school;
- 4.2 A Child's academic ability, skills or aptitude; unless it is necessary to ascertain whether or not the Child has the category of special educational needs concerned for admission to a school approved by the Minister of Education and Skills providing education exclusively to Students with a specified category of special educational needs or a Special Class;
- 4.3 The occupation, financial status, academic ability, skills or aptitude of a Child's Parent(s).
- 4.4 A Child's prior attendance at a preschool or pre-school service, other than in relation to a Child's prior attendance at an Early Intervention class or an Early Start Pre-School, which classes and schools are specified in a list published by the Minister.
- 4.5 A requirement that a Child or his or her Parent(s), attend an interview, open day or other meeting as a condition of admission.
- 4.6 A Child's connection to the school due to a member of his or her family attending or having previously attended the school, unless the connection is a sibling of the Child concerned attending, or having attended, the school
- 4.7 The date and time on which an application for admission was received by the school as long as it is received during the period specified for receiving applications set out in the annual admissions notice for that academic year.



**Mallow CNS will consider** the offer of a place to every Child seeking admission to the school, **unless one of the following applies:**

- 4.8 The Parent fails to confirm in writing that s/he accepts the Student Code of Behaviour and shall make all reasonable efforts to ensure compliance with such code by the Child if the Child becomes a Student in the school
- 4.9 The Child seeking admission to a Special Class in the school does not have the category of special educational needs specified by the Minister of Education and Skills in respect of that class

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

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

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

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



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## **PART B**

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

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



# SECTION 5

## APPLICATION TO THE JUNIOR INFANT GROUP

### **5. APPLICATION TO THE JUNIOR INFANT GROUP**

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#### **5.1 Admission Provisions (Junior Infant 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

#### **5.2 Appeals**

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



## Admission PROVISIONS (Junior Infant Group)

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

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

### **5.1.1 Oversubscription**

When the number of applications exceeds the number of places available, the published selection criteria as set out at section 5.1.2 below will apply and a waiting list shall be compiled which shall remain valid only for the school year in respect of which the applications are made. Where Mallow CNS is in a position to offer further school places that become available for and during that academic year, places will be offered in accordance with the order of priority in which Children have been placed on the waiting list.

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

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

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

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

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

- 5.1.2.1** Children who are at least four years of age on June 1<sup>st</sup> in the year that they begin school **and** have a sibling currently enrolled in the school
- 5.1.2.2** Children who are at least four years of age on June 1<sup>st</sup> in the year that they begin school **and** have a sibling who was previously enrolled in the school
- 5.1.2.3** Children who are at least four years of age on June 1<sup>st</sup> in the year that they begin school **and** who currently reside within the catchment area (see attached map)
- 5.1.2.4** Children who are at least four years of age on June 1<sup>st</sup> in the year that they begin school **and** who reside outside the catchment area

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

### 5.1.3 **Selection process**

Mallow CNS will apply the selection process as follows:

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

Where two or more applications are tied in the foregoing selection process, Mallow CNS will apply a random lottery, overseen by an independent third party, to assign any available places in the school, or on the waiting list, to those applicants.

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

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[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.*”

### 5.1.4 **Late applications**

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

Where Mallow CNS is oversubscribed and receives a late application for admission, that application will receive a place on the waiting list beneath Applicants whose applications were received by the school before the closing date for applications, irrespective of any selection criteria which may be applied to applications received before the closing date for applications. Such late applications will be placed on the waiting list in accordance with the date and time they were received by the school and subsequently Applicants who are at least 4 years of age on June 1<sup>st</sup> in the year that they begin school, will be offered a place based on date on application (earliest application first), subject to sections 4.8 and 4.9. For the avoidance of doubt, selection criteria are not relevant to, and will not be applied to, late applications.



Where Mallow CNS is not oversubscribed, i.e. there is no waiting list, and it receives a late application, Applicants who are 4 years of age on June 1<sup>st</sup> in the year that they begin school, will receive an offer of a place within the school, subject to sections 4.8 and 4.9 and the same process as applies to Applicants whose applications were received before the closing date will be applied *i.e.* an Acceptance Form will be issued to the Applicant for completion and return to the school within 2 weeks of issue.

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

Where a Child is in receipt of an offer of a place within Mallow CNS 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 Child on the waiting list in a second-round of offers. This process will continue throughout third and fourth rounds *etc.* until all places within the school have been filled.

#### **5.1.6 Acceptance of a place**

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

The Applicant shall indicate acceptance of an offer by fully completing and returning the Acceptance Form by the date set out in the School 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 Child in respect of whom an application is being sought has not been offered a school place, the Applicant will be provided in writing with:

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

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

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



### **5.1.8 Withdrawal of an offer**

An offer of admission may be withdrawn where:

- 5.1.8.1. The information contained in the application is false or misleading in a material respect, or
- 5.1.8.2. The Applicant fails to confirm acceptance of an offer of admission on or before the date set out in the annual Admission Notice of the school for the academic year for which s/he is applying, or in the case of a late application, or second/third-round offer, within 2 weeks, or
- 5.1.8.3. An Applicant has not indicated:
  - (i) whether or not s/he has applied for and is awaiting confirmation of an offer from another school(s) and if so, the details of the school(s);  
and
  - (ii) whether or not s/he has accepted an offer of admission from another school(s) and if so, the details of the offer(s).

If an offer of a place is withdrawn by the school, the Child 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 Child shall be treated as a late application in line with section 5.1.4 above.



## 5.1 APPEALS

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### 5.2.1. **Appeal where refusal was due to oversubscription:**

An Applicant who was refused admission because the school is oversubscribed and who wishes to appeal this decision must first request a review by the board of management in writing, via a 'BOMR1 Form', available from the school office and on the school's website, for it to be reviewed by the board of management of Mallow CNS. 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 [MallowCNS@corketb.ie](mailto:MallowCNS@corketb.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 and Skills under section 29A of the Education Act 1998. Appeals must be made in writing on a 'Section 29 Appeal Form' and must be submitted to the Section 29 Appeals Administration Unit in the Department of Education. The 'Section 29 Appeal Form' may be downloaded from the Department's website or may be obtained directly from the Section 29 Appeals Administration Unit in the Department of Education. Contact details for the Unit are available on the Department's website. As per the Department of Education's '*Procedures for hearing and determining appeals under section 29*', such an appeal must not be brought until the Applicant has received correspondence from the board of management in relation to the review, or until 42 calendar days have passed since the date of initial refusal and may not be brought later than 63 calendar days after the initial decision to refuse admission.

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

An Applicant who was refused admission to Mallow CNS for a reason other than the school being oversubscribed and who wishes to appeal this decision may first choose to request a review by the board of management, via a 'BOMR1 Form', available from the school office and on the school's website, for it to be reviewed by the board of management of Mallow CNS. 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 [MallowCNS@corketb.ie](mailto:MallowCNS@corketb.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 and Skills 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



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

**5.2.3. Basis for a review by the board of management:**

As required by section 29C (2) of the Education Act 1998, any request for the board of management to review a decision of the school to refuse admission must be based on the implementation of this Admission Policy, the content of the school's Admission Notice and also set out the grounds of the request to review the decision.



# SECTION 6

## APPLICATION TO ALL CLASSES OTHER THAN JUNIOR INFANTS

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

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

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

#### **6.2 Appeals**

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



## **6.1 ADMISSION PROVISIONS (OTHER THAN JUNIOR INFANTS)**

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

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

### **6.1.1 Oversubscription**

When the number of applications exceeds the number of places available, the published selection criteria as set out at section 6.1.2 below will apply and a waiting list shall be compiled which shall remain valid only for the school year in respect of which the applications are made. Where Mallow CNS is in a position to offer further school places that become available for and during that academic year, places will be offered in accordance with the order of priority in which Children have been placed on the waiting list, subject to the provisions of section 7.1.1 regarding the Special Class..

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

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

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

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

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

- 6.1.2.1 Children who have a sibling currently enrolled in the school
- 6.1.2.2 Children who have a sibling who was previously enrolled in the school
- 6.1.2.3 Children who currently reside within the catchment area (see attached map)
- 6.1.2.4 All other children

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

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

### **6.1.3 Selection process**

Mallow CNS will apply the selection process as follows:

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

Where two or more applications are tied in the foregoing selection process, Mallow CNS will apply a random lottery, overseen by an independent third party, to assign any available places in the school, or on the waiting list, to those applicants.

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

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[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.*”

### **6.1.4 Late applications:**

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

Where Mallow CNS is oversubscribed and receives a late application for admission, that application will receive a place on the waiting list beneath Applicants whose applications were received by the school before the closing date for applications, irrespective of any selection criteria which may be applied to applications received before the closing date for applications. Such late applications will be placed on the waiting list in accordance with the date and time they were received by the school, subject to sections 4.8 and 4.9. Applicants will be offered a place based on date on application (earliest application first). For the avoidance of doubt, selection criteria are not relevant to, and will not be applied to, late applications.

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



whose applications were received before the closing date will be applied *i.e.* an Acceptance Form will be issued to the Applicant for completion and return to the school within 2 weeks of issue.

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

Where a Child is in receipt of an offer of a place within Mallow CNS 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 Child on the waiting list in a second-round of offers. This process will continue throughout third and fourth rounds *etc.* until all places within the school have been filled.

#### **6.1.6 Acceptance of a place:**

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

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

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

#### **6.1.7 Refusal:**

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

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

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

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

#### **6.1.8 Withdrawal of an offer**

An offer of admission may be withdrawn where:

- 6.1.7.5. The information contained in the application is false or misleading in a material respect, or
- 6.1.7.6. 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 for which s/he is applying, or in the case of a late application, or second/third-round offer, within 2 weeks, or
- 6.1.7.7. 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).

If an offer of a place is withdrawn by the school, the Child on whose behalf the application was made shall lose his/her place on the admission list or waiting list for that academic year and any subsequent applications for the same academic year on behalf of that Child shall be treated as a late application in line with section 6.1.4 above.

## 6.2 APPEALS

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### 6.2.1. **Appeal where refusal was due to oversubscription:**

An Applicant who was refused admission because the school is oversubscribed and who wishes to appeal this decision 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 Mallow CNS. 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 Admission Policy, same shall apply instead. Completed BOMR1 Forms should be submitted to the school office or online by emailing [MallowCNS@corketb.ie](mailto:MallowCNS@corketb.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 and Skills under section 29A of the Education Act 1998. Appeals must be made in writing on a 'Section 29 Appeal Form' and must be submitted to the Section 29 Appeals Administration Unit in the Department of Education. The 'Section 29 Appeal Form' may be downloaded from the Department's website or may be obtained directly from the Section 29 Appeals Administration Unit in the Department of Education. Contact details for the Unit are available on the Department's website. As per the Department of Education's '*Procedures for hearing and determining appeals under section 29*', such an appeal must not be brought until the Applicant has received correspondence from the board of management in relation to the review, or until 42 calendar days have passed since the date of initial refusal and may not be brought later than 63 calendar days after the initial decision to refuse admission.

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

An Applicant who was refused admission to Mallow CNS for a reason other than the school being oversubscribed and who wishes to appeal this decision may first choose to request a review by the board of management, via a 'BOMR1 Form', available from the school office and on the school's website, for it to be reviewed by the board of management of Mallow CNS. 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 [MallowCNS@corketb.ie](mailto:MallowCNS@corketb.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 and Skills 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





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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, the Applicant may also apply to bring an appeal to an appeals committee established by the Minister for Education and Skills under section 29A of the Education Act 1998, as outlined in the immediately preceding paragraph.

**6.2.3. Basis for a review by the board of management:**

As required by section 29C(2) of the Education Act 1998, a request for the board of management to review a decision of the school to refuse admission must be based on the implementation of this Admission Policy, the content of the school's Admission Notice and also set out the grounds of the request to review the decision.



# SECTION 7

## APPLICATION TO THE SPECIAL CLASSES

### 7.1 APPLICATION TO THE SPECIAL CLASSES

### 7.2 ADMISSION PROVISIONS FOR THE SPECIAL CLASSES

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

### 7.2. Appeals

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



## **7.1 ADMISSION PROVISION FOR THE SPECIAL CLASSES**

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Mallow CNS has two Special Classes, established to cater for the special educational needs of students with Autism/Autistic Spectrum Disorders

Only applications in respect of Children whose needs fall within the category of special educational needs provided for by the Special Class will be considered. In this respect, the school requires that such needs of the Student be verified in a Relevant Report stating that:

- 1 S/he is a student with Autism/ Autistic Spectrum Disorder and
- 2 S/he has complex or severe learning needs that require the support of a special class setting.

The professional report must meet DES requirements for the special class. Under no circumstances should a school place a student in a special class without such a professional report.

Where the Special Classes in Mallow CNS are not oversubscribed, all Children 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 4.8 and 4.9

### **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 Mallow CNS is in a position to offer further school places that become available for and during that academic year, places will be offered in accordance with the order of priority in which Children have been placed on the waiting list, subject to there being a place in the relevant mainstream year group. If there is not a place available in the relevant mainstream class group, the next person on the waiting list for the Special Class will be considered for the place in question but this will not change the initial Student's place on the waiting list for the Special Class for the remainder of that school year, *i.e.* if another place subsequently became available in the Special Class during that school year, the initial Student at the top of the waiting list would be considered first, but again subject to there being a place in the relevant mainstream class group for that Student.

For clarity, even if a place becomes available in a given mainstream class group, if there is a waiting list for that mainstream class group, the Students on that list have first refusal at the place in the mainstream class group irrespective of any matters relating to the Special Class.

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



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

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

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

- 7.1.2.1 Children who are currently enrolled in a mainstream class in Mallow CNS
- 7.1.2.2 Children who are at least four years of age on June 1<sup>st</sup> in the year that they begin school **and** have a sibling currently enrolled in the school
- 7.1.2.3 Children who are at least four years of age on June 1<sup>st</sup> in the year that they begin school **and** have a sibling who was previously enrolled in the school
- 7.1.2.4 Children who are at least four years of age on June 1<sup>st</sup> in the year that they begin school **and** who currently reside within the catchment area (see attached map)
- 7.1.2.5 Children who are at least four years of age on June 1<sup>st</sup> in the year that they begin school **and** who reside outside the catchment area

### **7.1.3 Selection process:**

Mallow CNS will apply the selection process as follows:

Having met the criteria for admission to the Special Class, applications are considered against the published selection criteria. Places will be offered in the first instance to those who meet the first criterion. Subsequently, where the Special Class 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 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, Mallow CNS will apply a random lottery, overseen by an independent third party, 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/class group is subject to reduction in the event that a placement(s) in the Special Class is/are given to Student(s) from that year



group, i.e. the selection process for the Special Class will be completed before the selection process for the mainstream year group and the number of Students who are offered a place in the Special Class will be the number by which the places in the relevant mainstream year group(s) are reduced.[1]

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[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.*”

#### **7.1.4 Late applications:**

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

Where Mallow CNS is oversubscribed and receives a late application for admission, that application will receive a place on the waiting list beneath Applicants whose applications were received by the school before the closing date for applications. Such late applications will be placed on the waiting list in accordance with the date and time they were received by the school, subject to sections 4.8 and 4.9. Applicants who meet the criteria for enrolment in the Special Class and are at least 4 years of age on June 1st in the year that they begin school, will be offered a place based on date on application (earliest application first). For the avoidance of doubt, selection criteria are not relevant to, and will not be applied to, late applications.

Where Mallow CNS is not oversubscribed, i.e. there is no waiting list, and it receives a late application, Applicants who are 4 years of age on June 1<sup>st</sup> in the year that they begin school, will receive an offer of a place within the school, subject to sections 4.8 and 4.9 the same process as applies to Applicants whose applications were received before the closing date will be operated i.e. an Acceptance Form will be issued to the Applicant for completion and return to the school within 2 weeks of issue.

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

Where a Child is in receipt of an offer of a place within Mallow CNS 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 Child on the waiting list in a second-round of offers. This process will continue throughout third and fourth rounds *etc.* until all places within the Special Class have been filled.

#### **7.1.6 Acceptance of a place:**

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



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

Failure to fully complete and return the Acceptance Form to the school by the date set out in the school's Admission Notice, or within 2 weeks of issuing by the school if it is a late application or if it is a second/third-round offer, may result in withdrawal of an offer, in line with the grounds for refusal 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 Mallow CNS.
- 7.1.7.2 Details of the Student's ranking against the published selection criteria, if the class-group to which the Applicant is applying is oversubscribed;
- 7.1.7.3 Details of the Student's place on the waiting list, if applicable, and
- 7.1.7.4 Details of the Applicant's right to appeal the decision

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

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

#### **7.1.8 Withdrawal of an offer**

An offer of admission may be withdrawn where:

- 7.1.8.1. The information contained in the application is false or misleading in a material respect, or
- 7.1.8.2. The Applicant fails to confirm acceptance of an offer of admission on or before the date set out in the annual Admission Notice of the school for the academic year for which s/he is applying, or in the case of a late application, or second/third-round offer, within 2 weeks, or
- 7.1.8.3. An Applicant has not indicated:
  - (i) whether or not s/he has applied for and is awaiting confirmation of an offer from another school(s) and if so, the details of the school(s);  
and
  - (ii) whether or not or s/he has accepted an offer of admission from another school(s) and if so, the details of the offer(s).

If an offer of a place is withdrawn by the school, the Child on whose behalf the application was made shall lose his/her place on the admission list (and shall not be placed on the waiting list). If the Applicant still desires a place for that academic year, a

new application must be made for the same academic year on behalf of that Child and shall be treated as a late application in line with section 7.1.4 above.

## **7.2 APPEALS**

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### **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 Mallow CNS. 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 [MallowCNS@corketb.ie](mailto:MallowCNS@corketb.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 and Skills 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 Mallow CNS for a reason other than the school being oversubscribed and who wishes to appeal this decision may first choose to request a review by the board of management, via a 'BOMR1 Form', available from the school office and on the school's website, for it to be reviewed by the board of management of Mallow CNS. Such a review must be brought 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 [MallowCNS@corketb.ie](mailto:MallowCNS@corketb.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 and Skills 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, the Applicant may also apply to bring an appeal to an appeals committee established by the Minister for Education and Skills under section 29A of the Education Act 1998, 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, an application to appeal must be based on the implementation of this Admission Policy, the content of the school’s Admission Notice and also set out the grounds of the request to review the decision.

**Appendix 1: Geographical Catchment Area**

